

REGULAR MEETING VILLAGE OF BURR RIDGE PLAN COMMISSION

January 7, 2019 7:00 P.M.

I. ROLL CALL

II. APPROVAL OF PRIOR MEETING MINUTES

A. November 19, 2018 Plan Commission Regular Meeting

III. PUBLIC HEARINGS

A. Z-25-2018: 16W020 79th Street (Dodevski); Special Use and Findings of Fact; continued from November 19, 2018

Requests a special use pursuant to Section XII.F.3 of the Burr Ridge Zoning Ordinance to permit an illegal, non-conforming chain link fence and barbed wire on the subject property.

B. V-01-2019: 8300 Madison Street (MB Financial); Variation and Findings of Fact

Requests a variation pursuant to Section XI.C.8.b of the Burr Ridge Zoning Ordinance to permit parking in the side and front yards of a commercial property in a Manufacturing District.

C. V-02-2018: 11905, 11933, and 11957 Heritage Drive (Karunaratne); Variation and Findings of Fact

Requests a variation pursuant to Section VI.D of the Burr Ridge Zoning Ordinance to reduce the required front yard setback on three lots of record in the R-2A Residential District from 50 feet to 35 feet at three lots of record in the R-2A Residential District.

IV. CORRESPONDENCE

A. Board Report – December 10, 2018

V. OTHER CONSIDERATIONS

A. S-01-2019: 7000 County Line Road (MB Financial); Amendment to Sign Variations

VI. FUTURE SCHEDULED MEETINGS

- A. January 21, 2019
- Z-26-2018: Zoning Ordinance Amendment; Amendment and Findings of Fact; continued from November 19, 2018

Requests amendments to Section IV.H of the Burr Ridge Zoning Ordinance related to regulations regarding the size of accessory buildings.

• Z-01-2019: 60 Shore Drive (Naddaf); Special Use and Findings of Fact

Requests special use approval as per Section X.F.2.a of the Burr Ridge Zoning Ordinance to permit an automobile sales use at an existing building.

B. February 7, 2019

There is no business currently scheduled for this meeting. If no business is scheduled by January 21, 2019, staff recommends this meeting be cancelled.

VII. ADJOURNMENT

PLEASE NOTE: All Plan Commission recommendations 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 January 14, 2019 Regular Meeting beginning at 7:00 P.M. Commissioner Broline is the Plan Commission representative for the January 14, 2019 Board meeting.

PLAN COMMISSION/ZONING BOARD OF APPEALS VILLAGE OF BURR RIDGE MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 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: 8 – Broline, Farrell, Hoch, Irwin, Praxmarer, Petrich, Stratis, and Trzupek

ABSENT: 0 - None

Village Administrator Doug Pollock and Assistant to the Village Administrator Evan Walter were also present.

II. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Petrich noted a deletion on page four and asked that the remainder of the minutes be included. Commissioner Stratis noted that a second had been incorrectly noted on page two. Staff acknowledged these items.

A **MOTION** was made by Commissioner Praxmarer and **SECONDED** by Commissioner Farrell to approve the minutes of the October 15, 2018 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 7 – Praxmarer, Farrell, Irwin, Hoch, Petrich, Broline, and Stratis

NAYS: 0 - None

ABSTAIN: 1 - Trzupek

MOTION CARRIED by a vote of 7-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearing on the agenda for the meeting.

<u>V-03-2018: 8200 Steepleside Drive (Bart); Variation and Findings of Fact; continued from July 16, 2018 and September 17, 2018</u>

As directed by Chairman Trzupek, Mr. Walter described this request as follows: subsequent to this petition previously being remanded to the Plan Commission, the petitioner amended their petition to request a rear yard principal building setback of 45 feet rather than the permitted 60 feet to accommodate a new single-family residential building. The original petition requested a 30-foot rear yard setback. The amended rear-yard setback reduction of 15 feet is equal to the additional front-yard setback that has been added due to the presence of the drainage easement. The proposed variation would result in a building pad depth of 65 feet. Without the variation, the building pad depth would be 50 feet. At its September 17 meeting, the Plan Commission requested additional research on the comparative size of total lot and buildable area depths of other parcels zoned R-2A to determine if the buildable area would remain comparatively sized if the variation were

granted. There were very few examples of horizontal lots such as those that match the development patterns found on Steepleside Drive that are zoned R-2A, and thus few conclusions could be drawn regarding the subject property's relative buildable area depth. Only four such examples of lots of comparable size and orientation zoned R-2A exist in the Village, all of which are located on Steepleside Drive. As presently permitted, lots at 8200 and 8250 Steepleside have a 50' deep buildable area on 170' deep lots; each has a relative building pad depth equal to 29.4% of the total lot depth. Lots at 8150 and 8225 Steepleside have a 70' deep buildable area on 180' deep lots; each has a relative building pad depth equal to 38.9% of the total lot depth. If the subject property were permitted a rear setback reduction of 15 feet, it's relative building pad depth would be increased to 38.2% and be 25% relatively deeper than the lot to the south. Mr. Walter said that the Plan Commission may also wish to consider the fact that the front yard setback is measured from the front wall of a home, yet the drainage easement does not permit any structures of any kind from being built within its delineated boundaries, therefore any porches, walkways, etc. that are permitted in a front yard would need to be built behind the drainage easement, therefore pushing the front of the home slightly back from the border of the drainage easement.

Sylvia Bart, 5529 South Monroe Street, said that the comparative market analysis provided by her real estate firm showed that the lot was being marketed at \$485,000 while the suggested market price was \$467,500. Ms. Bart said that the property owner had received no offers on the property in the two years that she had held the listing.

Sean Corry, 11653 Walnut Court, supported the variation so that the property could be developed and cleaned up. Mr. Corry asked if the variation could be contingent on a fence being replaced at another property owned by the petitioner. Mr. Walter said that conditions of variations needed to be related to the subject property, but that staff would conduct an investigation into the condition of the fence in question. Mr. Corry concurred with this suggestion.

Chris Herringshaw, 8150 Steepleside, said he looked forward to development occurring on the property but objected to the variation request.

Tom Schwertman, 8155 Rosemere Court, said that he lived behind the subject property and objected to the variation request.

Commissioner Stratis said that the market analysis did not capture all possible factors, and did not support a variation without a feasible site plan being presented along with the request for a variation.

Commissioner Farrell said she expected further information to be returned, and did not see the need for a hardship in the petition.

Commissioner Praxmarer said she supported the petition's request and felt that the drainage easement presented such a condition.

Commissioner Broline asked for the definition of hardship relative to a variation. Mr. Pollock said that hardships are the result of a unique condition of the land, not a personal perspective. Commissioner Broline asked the objecting resident behind the subject property what his setback was from his home to the property line, as it appeared to be pushed further west than other homes in the neighborhood. Mr. Schwertman said that his home was indeed closer to the subject property's lot line than the neighboring homes. Mr. Walter reminded the Plan Commission that the neighbor at 8250 Steepleside had also objected to this petition.

Commissioner Petrich asked if the neighboring properties which had been previously developed used the full depth of the building pad. Mr. Walter said that no lot on the street used the entire depth of the permitted building pad.

Commissioner Irwin asked if the subdivision was created with the presence of the drainage easement being know. Commissioner Hoch confirmed this. Commissioner Irwin said he would be able to support a variation if an architect could demonstrate that a buildable home was not possible with the existing building pad dimensions, but was not able at this time.

Commissioner Hoch said that since the drainage easement existed at the time of subdivision, it was a known condition and thus could not support the request.

Chairman Trzupek asked for clarification regarding where accessory structures, such as walkways and retaining walls, could be built on a property. Mr. Walter said that both of these structures are permitted in front yards; however, no structures of any kind are permitted to be built in the drainage easement, and thus would need to be built further into the building pad if they were so desired. Chairman Trzupek said that he would be more supportive of the request if a plan for a home were presented along with a request.

At 7:45 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Farrell to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Farrell, Irwin, Broline, Praxmarer, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Farrell to recommend that the Board of Trustees deny a variation pursuant to Section VI.D.7 of the Burr Ridge Zoning Ordinance to reduce the required rear yard setback at a property in the R-2A Residential District from 60 feet to 45 feet and to direct staff to prepare findings of fact.

ROLL CALL VOTE was as follows:

AYES: 4 – Hoch, Farrell, Stratis, and Irwin

NAYS: 3 – Broline, Praxmarer, and Trzupek

MOTION CARRIED by a vote of 4-3.

Commissioner Broline asked if a motion could be made to allow for the variation if a home plan were presented at a public hearing. Mr. Walter said that such a motion would be binding upon future considerations and would not be permitted. Mr. Walter suggested that any Plan Commissioner who would support such a statement go on record as such so as to provide direction to the petitioner in a future petition. Commissioner Broline supported this statement and the possibility of future petitions.

Z-25-2018: 16W020 79th Street (Dodevski); Special Use and Findings of Fact

Mr. Walter said that the petitioner notified staff that an emergency had arisen prior to the meeting and was unable to attend, requesting that it be continued to the next available meeting.

Commissioner Irwin said that he would not support the special use for a chain link fence as proposed as he felt they were inappropriate for the Village.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to continue the petition Z-25-2018 to the January 7, 2019 public meeting.

ROLL CALL VOTE was as follows:

AYES: 8 – Stratis, Hoch, Irwin, Farrell, Petrich, Broline, Praxmarer, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

Z-26-2018: Zoning Ordinance Amendment; Amendment and Findings of Fact

As directed by Chairman Trzupek, Mr. Walter described the request as follows: the petition seeks to amend Section IV.H of the Burr Ridge Zoning Ordinance related to regulations regarding the size of accessory buildings. Staff is the petitioner for this request. The amendment proposes that the permitted size and setbacks of accessory buildings be determined by a ratio based on the size of the lot and the accessory building itself. Ratios were found to be utilized by many suburban communities with development patterns similar to Burr Ridge, including North Barrington, Barrington Hills, Mettawa, and Wayne, and result in a highly simplified development model. The side yard setbacks for accessory building sizes were proposed as follows: less than 500 square feet: 10 feet; 501-1500 square feet: 15 feet; 1501-2000 square feet: 20 feet; 2001-3000 square feet: 30 feet; 3001-4000 square feet: 40 feet; over 4000 square feet: 50 feet. Interior side yard setbacks were determined based on a 1% accessory building size-to-setback ratio, while rear yard setbacks are based on a 0.5% accessory building size-to-setback ratio, with both having a minimum setback of 10'. The amendments propose a 5% total lot coverage cap for one accessory building and a 2% total lot coverage cap for a second accessory building (a total of 7%), with all lots permitted to have one accessory building of up to 1,000 square feet in size. The proposal also amends the permitted height of accessory buildings on properties over 200,000 square feet in size and at least 50' from all property lines be permitted to be no more than 25 feet in peak height from the present restriction of 15 feet. Staff proposes that the height of accessory buildings be increased on larger lots with stricter setback requirements so as to permit greater flexibility in building design and use for larger buildings. Staff notes that the proposed ratio would reduce the permitted size of accessory buildings on lots between 20,000 and 40,000 square feet in size. Under current regulations, lots of these sizes are permitted to have accessory buildings totaling over 7% of the lot coverage, with a maximum value of almost 11% on a 30,000 square foot lot zoned R-2B. Staff found only two examples of permits for large accessory buildings (>2,000 square feet) being issued in the past five years. Based on these findings, staff concluded that there has been very little demand for large accessory buildings on these lots, and a reduction in the permitted size of accessory buildings on these lots would not impair any trends in accessory building construction within the Village. Mr. Walter noted several benefits that would be realized under the proposed amendments that are not present in the current model, including building determination by a sole measurement; the required interior side and rear setbacks for an accessory building increases with the size of the structure under the proposed regulation; detaching accessory building regulations from a specific zoning district may incentivize property owners to re-zone to more suitable classifications if they were not penalized for re-zoning to a denser zoning classification; and property owners may also be incentivized to create larger lots upon subdivision as it would permit the owners of the newly-created lots to erect larger accessory buildings, thus contributing to the development pattern of larger lots that has made Burr Ridge unique in the area.

Mark Thoma, 7515 Drew, asked if a public notice was required for this consideration. Mr. Walter said that a public notice appeared in the newspaper as required by law, but that no letters were required to be sent to any resident as the amendment is Village-wide and not related to any particular address. Mr. Thoma asked how many requests for oversize accessory structures have been received in the past year. Mr. Walter said that there had been one. Mr. Walter said that it was staff's understanding that direction was given by Chairman Trzupek to prepare this public hearing. Chairman Trzupek confirmed staff's understanding, as he supported the concept of having larger structures on larger lots, but wished to accomplish this through an amendment instead of variations.

Mr. Thoma said that staff had provided misinformation to the Plan Commission, stating that the comparable communities used in the study did not equally compare to Burr Ridge regarding population density. Mr. Thoma said that the current regulations regarding accessory structures was acceptable as is.

Sharon Williams, Drew Avenue, said that she was concerned about the proposed amendments and did not see the benefit of the proposal.

Mike Moreno, 9171 Drew Avenue, said he was concerned about the proposed amendments and felt that it would set a bad precedent. Mr. Moreno raised a concern about potential wetland impacts on the property next to his. Mr. Walter said that the Village Engineer had already opened an investigation into potential wetland or floodplain impacts and that further direction was forthcoming.

Stanley Smola, 9161 Drew Avenue, said that an existing accessory building was located on his neighbor's property, and the terms of the potential variation granted to him for an additional accessory building stated that he would be permitted to have only one accessory building on the property. Mr. Walter said that he had informed the property owner of such a condition and that the existing building would need to be removed if the desired building were to be developed.

Alice Krampits, 7515 Drew, did not support the proposed amendments as they would allow for excessively large accessory buildings. Ms. Krampits supported the concept of increasing setbacks as the size of accessory buildings increase.

Chairman Trzupek said that a previous recommendation from the Plan Commission had been made based on erroneous information, and that had the proper information been received, a variation would have not been recommended for approval. Chairman Trzupek asked if the property at 15W069 91st Street was permitted to have up to ten horses. Mr. Walter confirmed this statement. Chairman Trzupek said that the excessive size of the accessory structure relative to the variation prompted him to ask that the size of accessory structures be examined as a text amendment so as to allow for uniform rules. Chairman Trzupek asked if there were a large amount of 300,000-square foot lots in the Village. Mr. Walter said that there are few such properties remaining in town.

Commissioner Hoch asked for the definition of an accessory building. Mr. Walter said that accessory buildings are structures that are subordinate to principal structures and generally are

walled-in, such as a guest house, detached garage, barn, or shed. Commissioner Hoch supported the concept of increased setbacks for larger accessory buildings and that it simplifies the permitted regulations for sizing buildings.

Commissioner Irwin asked how rear and side yard setback conflicts would be resolved. Commissioner Irwin described a scenario in which a rear lot line abuts a side lot line, and while the two lot lines abut, the setback requirements are different based on the different orientations of the lot. Mr. Walter said that staff would bring back a solution to this question at the next consideration of the petition.

Commissioner Petrich said that there was an existing allowance for an additional accessory building for every 2 additional acres on lots greater than 5 acres, and asked if this allowance was proposed to remain. Mr. Walter said that his proposal would cap the number of accessory buildings at two regardless of lot size. Commissioner Petrich asked if any height restrictions would be altered under staff's proposal. Mr. Walter said that the only proposed change was to permit one accessory building on lots above 200,000 square feet and greater than 50' from all lot lines be permitted to be 25' in height, amended from 15'.

Commissioner Broline said that the proposed amendment allowed for excessively large accessory buildings, but supported the concept of ratios in determining size and setback requirements.

Commissioner Praxmarer said she preferred a narrower amendment regarding accessory buildings.

Commissioner Farrell said that she supported the concept of tying the size of accessory buildings to lot size instead of zoning designation, as it would eliminate the possibility of large structures being built on improperly zoned lots. Commissioner Farrell supported the concept of proportional setbacks. Commissioner Farrell said she also had concerns about excessively large buildings being permitted. Commissioner Farrell said that there appeared to be an incongruence between horses being permitted but buildings for boarding horses not being permitted of an appropriate size. Commissioner Farrell said that Exhibit B was a good method of demonstrating the differences between the current and proposed regulations.

Commissioner Stratis said he disagreed with elements of the public comment that the amendment was underhanded and said that staff had properly interpreted Chairman Trzupek's direction regarding a potential amendment to accessory building regulations. Commissioner Stratis said that the comparable communities used by staff were appropriate. Commissioner Stratis said that 5-acre lots should not be restricted to the same amount of accessory building square footage, and supported the concept of using ratios for regulations as they were proportionate. Commissioner Stratis said that he supported a cap of 6,000 square feet for accessory buildings. Commissioner Stratis asked if sport courts were counted as accessory buildings. Mr. Walter said that such uses were accessory structures, not buildings.

Chairman Trzupek asked the Plan Commission if there was support for the concept of pursuing a proportional, ratio method for accessory buildings, moving it away from zoning districts. There was general support for the Chairman's question.

Commissioner Praxmarer asked if the size of accessory buildings could be tied to the size of the principal building on the property. Mr. Walter said that accessory buildings are currently not permitted to exceed the size of the principal structure on a lot but would review this suggestion accordingly.

Mr. Walter asked the Plan Commission to continue the discussion to a later meeting to allow staff to refine the proposed amendments.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to continue the public hearing to January 21, 2018.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, Hoch, Farrell, Petrich, Broline, Praxmarer, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

IV. CORRESPONDENCE

Mr. Pollock said that a resident had inquired about a previous Plan Commission ruling in which a Commissioner should have recused themselves from voting. Mr. Pollock said an investigation into this matter took place and no recusal was required based on the circumstances of the vote. Mr. Pollock encouraged Commissioners or residents to direct said concerns to him before votes if there is any question as to whether an ethical issue exists.

V. OTHER CONSIDERATIONS

PC-12-2018: 8601 Kingery Highway; Extraterritorial Review of Preliminary Plat of Subdivision

As directed by Chairman Trzupek, Mr. Walter described this request as follows: According to the State of Illinois, the Village has legal authority to enforce its subdivision regulations beyond the Village boundaries (up to a distance of one and one-half miles outside Village), whether or not the applicable County has also adopted a subdivision code or ordinance. Where conflicts or inconsistencies arise between the subdivision code of a Village and the adjacent County, the Illinois Municipal Code provides that such conflicts are resolved by deferring to the most restrictive subdivision ordinance or code in place at the time of review. Therefore, if a municipality has adopted a comprehensive plan extending into those unincorporated areas within one-and-onehalf-miles of the Village, the subdivision of such property is legally exempted from the application of any less restrictive rules or regulations. The property owner must comply with the most restrictive standards and requirements set forth by both the Village and the County. If the property is located within unincorporated territory covered by the subdivision codes of more than one municipality, the application of the subdivision codes can be determined by an intergovernmental agreement between the municipalities. If there is no such agreement, the Municipal Code status that "the jurisdiction of any one of the corporate authorities shall extend to a median line equidistant" between the boundaries of the municipalities. The Village of Willowbrook is the only community who would have rights of extraterritorial review on this subdivision and they have elected to waive such rights. At this time, staff has not been provided with proper materials for review, including full-size and to-scale plans, to allow for a determination of the development's compliance with the Village's subdivision plans. Such a review would allow for an understanding as to the developer's investment in half-street improvements, including a half-street resurfacing, curb, sidewalk, and other items required by the Village Subdivision Ordinance. While the Village retains the right to review the development to determine compliance with its Subdivision Ordinance, it may also waive said right and allow the development to continue as proposed. It

should be noted that the Village does not have any rights of review regarding the zoning of said property. Mr. Walter requested Plan Commission feedback as to whether a full extraterritorial review is desired, or, if such a review is not necessary and thus can be waived.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to recommend that staff request additional information on the proposed development and that the Plan Commission exercise its right to extraterritorial subdivision review at 8601 Kingery Highway.

ROLL CALL VOTE was as follows:

AYES: 8 – Hoch, Irwin, Broline, Farrell, Petrich, Praxmarer, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

PC-05-2018: Consideration of Amendments to the Sign Ordinance

As directed by Chairman Trzupek, Mr. Walter described this request as follows: at its October 15, 2018 meeting, the Plan Commission gave additional direction to staff regarding amendments to the Sign Ordinance. At such meeting, a redlined copy of all changes was requested; however, after much consideration, staff felt that providing a side-by-side comparison of a before and after of the changes would be clearer to understand due to the significant amount of formatting involved.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Stratis to recommend that the Board of Trustees approve amendments to the Sign Ordinance as shown in Exhibit A.

ROLL CALL VOTE was as follows:

AYES: 8 – Farrell, Stratis, Broline, Petrich, Praxmarer, Hoch, Irwin, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

PC-11-2018: 2019 Plan Commission Meeting Schedule

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Stratis to recommend that the Board of Trustees approve the 2019 Plan Commission meeting schedule.

ROLL CALL VOTE was as follows:

AYES: 8 – Hoch, Irwin, Farrell, Stratis, Broline, Praxmarer, Petrich, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

VI. FUTURE SCHEDULED MEETINGS

December 17, 2018

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Hoch to cancel the December 17, 2018 meeting.

ROLL CALL VOTE was as follows:

AYES: 8 – Stratis, Hoch, Farrell, Petrich, Irwin, Praxmarer, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 8-0.

January 7, 2019

A. V-01-2019: 8300 Madison Street (Kukuk); Variations and Findings of Fact

Commissioner Praxmarer asked if a live/work use concept would be coming forward at the Village Center. Mr. Walter said that he anticipates such a petition to be brought forward in the first quarter of 2019.

VII. ADJOURNMENT

A MOTION was made by Commissioner Farrell and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 9:40 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:40 p.m.

Respectfully Submitted:

Evan Walter, Assistant to the Village Administrator

EVAN BWALTER



Z-25-2018: 16W020 79th Street (Lyons Truck Sales); Requests a special use pursuant to Section XII.F.3 of the Burr Ridge Zoning Ordinance to permit the continued use of a non-conforming chain link and barbed wire fence on the subject property; continued from November 19, 2018.

HEARING:

January 7, 2019; continued from November 19, 2018

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Evan Walter Asst. to the Village Administrator

PETITIONER:

Sandra Dodevski

PETITIONER STATUS:

Property Owner

EXISTING ZONING:

G-I General Industrial

LAND USE PLAN:

Recommends Industrial Uses

EXISTING LAND USE:

Commercial Business

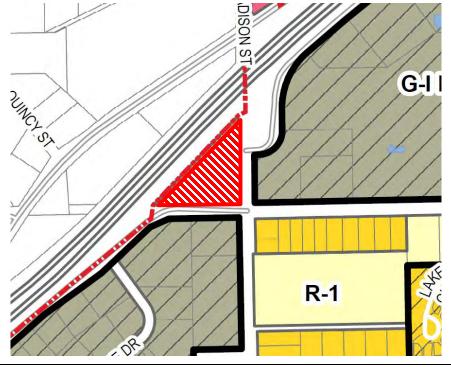
SITE AREA:

3.35 Acres

SUBDIVISION:

None





Staff Report and Summary

Z-25-2018: 16W020 79th Street (Lyons Truck Sales); Special Use and Findings of Fact

Page 2 of 2

The petitioner is Lyons Truck Sales, a truck sales and service business located at 16W020 79th Street. The petitioner requests a special use pursuant to Section XII.F.3 of the Burr Ridge Zoning Ordinance to permit the continued use of a non-conforming chain link and barbed wire fence on the subject property. Chain-link and barbed wire fences are expressly prohibited by the Zoning Ordinance; however, it appears that this structure was in place before the Zoning Ordinance went into effect. Section XII of the Zoning Ordinance permits the owner of an illegal non-conforming use which was in existence on the effective date of the Ordinance (August 11, 1997) to apply for a special use allowing the continued use of said structure.

Along with a previous recommendation made for the fence on the subject property, the Plan Commission recommended a ten-year administrative non-enforcement period be provided to the property owner to allow for the fence to remain in place and be amortized. This petition represents the first step in legally granting such a resolution, if it were desired.

Public Hearing History

In 2015, a special use was granted to Lyons Truck Sales for an *automobile and truck and equipment sales, rental and service* use with several conditions related to site improvements, all of which have been completed and sustained. Several petitions have been brought forward in 2018 attempting to locate an electric fence on the property as well as to amend the Zoning Ordinance to permit chain link as a special use in the Zoning Ordinance.

Public Comment

No public comment was received for the petition.

Applicable Zoning Ordinance Section(s)

Section XII.F.3 of the Zoning Ordinance states:

• The owner or occupier of an illegal non-conforming use in existence on the effective date of this Ordinance may apply for a special use permit in accordance with Section XIII of this Ordinance. Upon receipt of such an application, the Board of Trustees, upon recommendation from the Plan Commission, may grant special use approval, subject to such conditions as the Board of Trustees finds necessary for compliance with the special use standards set forth in Section XIII of this Ordinance.

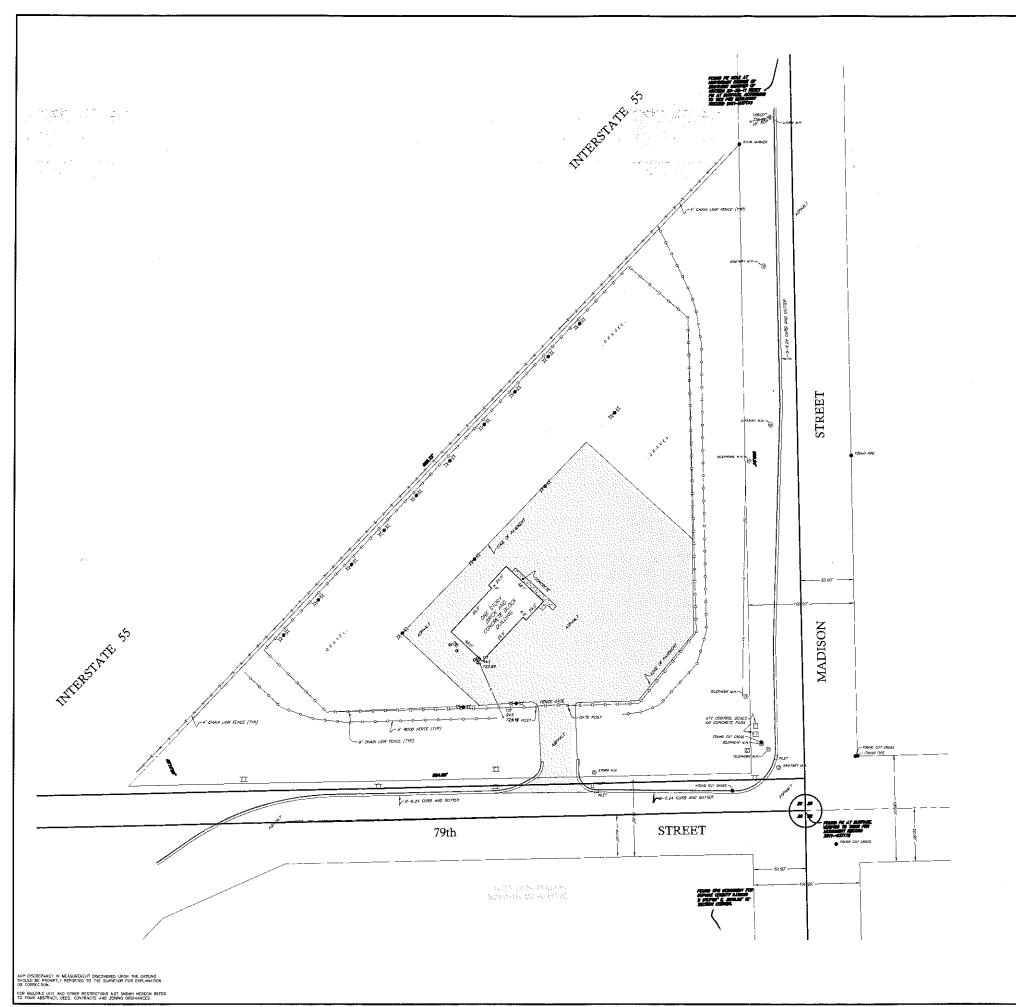
Section XIII sets out the standards for granting a special use, which are commonly known as the Findings of Fact.

Findings of Fact and Recommendation

The petitioner has provided Findings of Fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval of a special use for a non-conforming illegal use in the form of a chain-link and barbed wire fence on the subject property, it should be made temporary for a ten-year period as previously recommended, at which time both the chain-link and barbed wire fence should be removed.

Appendix

Exhibit A – Petitioner's Application

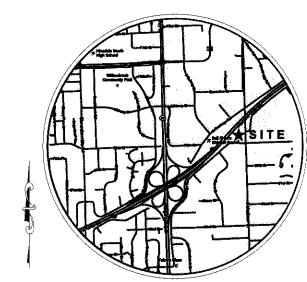


ALTA / ACSM LAND TITLE SURVEY

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 38 NORTH, RANGE 11EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING SOUTH OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF F.A. ROUTE 55, EXCEPT THEREFROM THAT PART THEREOF DEDICATED FOR MADISON STREET AND 79TH STREET, IN DU PAGE COUNTY, I LLINOIS. LAND IS KNOWN AS: 16W020 79TH STREET

BURR RIDGE, L 60527 GRAPHIC SCALE

> L E G E N D
>
> mec. VEASURED
>
> rec. RCCOROTE dale. CA_CULATED
>
> FOUND SURVEY MCNUMENT SET 5/8" REBAR UNLESS OTHERWISE NOTED GAS UNE LIGHT POLE WISH DUAL LIGHT FORTIL ELECTRIC TRANSFORMER PIPEUNE WARKER CABLE TV PEDESTAL TELEFHONE WANHOLE SANTARY SEWER MANHOLE STORM SEWER MANHOLE STORM SEWER MUET BOLLARD



SITE LOCATION MAP

TG: FIRST AMERICAN TITLE INSURANCE COMPANY LDD PROPERTIES, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTACOMS MAND THIS SURVEYS, JOIN LY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS
TABLE A HEREOF.

FIELD WORK COMPLETED: 1-27-2015

DATED THIS_____DAY OF____

ILLINDIS PROFESSIONAL LAND SURVEYOR (MY JICENSE EXPIRES 11-30-2016)
TO ENSURE AUTHENTICITY OF THIS DRAWING, IT MUST BEAR THE EMBOSSED SEAL
OF THE DESIGN FIRM OR PROFESSIONAL LICENSEE WHO PREPARED THIS DRAWING.

		REVISIONS	_
No.	DATE	DESCRIPTION	В
_			_
R		Ruettiger, Tonelli & Associates, In-	c.
R	Τ	Surveyors - Engineers - Plamers - Laudscape Architects - G.I.S. Consultants	c.
R	Τ		c.

315-0070-A RAWING TITLE: ALTA / ACSM LAND TITLE SURVEY

Address:

16V020 79m /2-25/2018

As per Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance, for a special use to be approved, the petitioner must confirm all of the following findings by providing facts supporting each finding.

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.

The fence is acknowledged to be illegal, non-conforming but still provides a service to the business.

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

The proposed special use provides for an amortization period for the eventual removal of said structure.

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.

Correct, the fence will mitigate crime and make the area safer.

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.

Correct, no physical changes to the land will occur.

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

Correct, these facilities are present.

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.

Correct, there is a movable gate that allows for traffic to enter the premises.

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

Correct, this special use will permit the fence to be brought into compliance in

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.

Correct, fences are a normal structure in the G-I District.



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 16W020 79th Street PIN # 09-16-405-001				
GENERAL INFORMATION PETITIONER: Sandra Dodevski (All correspondence will be directed to the Petitioner) PETITIONER'S ADRESS 16W020 79th Street Burr Ridge, IL 60527 PHONE: (708) 526-2150 EMAIL: sandra@lyonstrucksales.com PROPERTY OWNER: LDD Properties, LLC STATUS OF PETITIONER: Property Owner OWNER'S ADDRESS: PHONE:				
PROPERTY INFORMATION				
PROPERTY ACREAGE/SQ FOOTAGE: 3.35 Acres EXISTING ZONING: G-I				
EXISTING USE/IMPROVEMENTS: Comm. truck sales business with two-story building				
SUBDIVISION:				
A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED				
PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S): Special Use Rezoning Text Amendment Variation(s) Special Use Please Provide Written Description of Request - Attach Extra Pages If Necessary				
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.				
10/18/2018				
Petitioner's Signature Date Petition is Filed				





VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:	16W020 79th Street	
Property Owner or Petitioner:	Sandra Dodevski	
	(Print Name)	
	(Signature)	



V-01-2019: 8300 Madison Street (MB Financial); Requests variations from the Burr Ridge Zoning Ordinance, including from Section XI.C.8.b to permit parking areas in the corner side and front yards and from Section XI.C.11 to reduce the width of required landscape areas between the parking lot and the front and corner lot lines from 15 feet to zero feet and to eliminate the requirement for landscaping adjacent to parking spaces; said variations to accommodate the construction of parking spaces between the building and Madison Street and the building and 83rd Street.

HEARING:

January 7, 2019

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Evan Walter Asst. to the Village Administrator

PETITIONER:

Robert Kenny o/b/o MB Financial Bank

PETITIONER STATUS:

Property Owner

PROPERTY OWNER:

MB Financial Bank

EXISTING ZONING:

G-I General Industrial PUD

LAND USE PLAN:

Recommends Industrial Uses

EXISTING LAND USE:

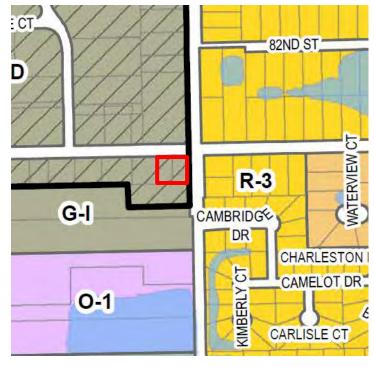
Commercial Building

SITE AREA:

0.85 Acres

SUBDIVISION:

Hinsdale Industrial Park

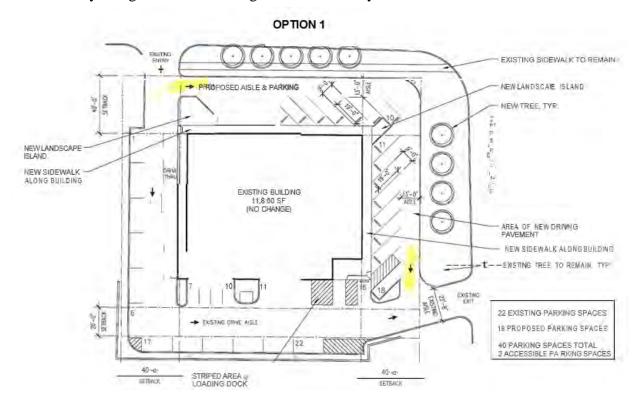




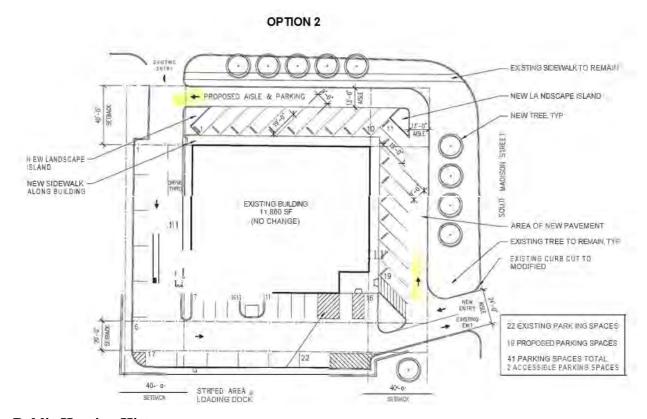
The petitioner is Robert Kenny on behalf of MB Financial Bank, property owner and primary tenant of a commercial building at 8300 Madison Street. The petitioner requests variations from the Burr Ridge Zoning Ordinance, including from Section XI.C.8.b to permit parking areas in the corner side and front yards and from Section XI.C.11 to reduce the width of required landscape areas between the parking lot and the front and corner lot lines from 15 feet to zero feet and to eliminate the requirement for landscaping adjacent to parking spaces; said variations to accommodate the construction of parking spaces between the building and Madison Street and the building and 83rd Street. The petitioner is attempting to expand the on-site parking capacity to accommodate additional employees that will be working at the property in the future. MB Financial Bank has been purchased by Fifth Third Bank and additional operations are being relocated to the property as part of the company restructuring. The variations are required in that parking in the front and side yards of properties in Manufacturing Districts is not permitted, while the width of the available space in the front and side yards does not permit the necessary 15-foot wide landscape areas between the edge of the proposed parking lot expansion and the property lines.

Land Use and Site Plan

The subject property is located at the southwest corner of Madison Street and 83rd Street, situated on two parcels. The building is used primarily as a bank with a drive-thru; the Willowbrook/Burr Ridge Chamber of Commerce is also a tenant in the building. The property is zoned G-I General Industrial PUD; none of the relevant PUD provisions apply to this petition, nor is a PUD amendment necessary as part of this petition. All properties located west of Madison Street to the north, west, and south of the subject property are zoned G-I General Industrial, while all properties located east of Madison Street to the north, east, and south of the property are zoned R-3 Residential. The petitioner has proposed two options for site design, with no preference indicated. Option #1 would add 18 spaces, resulting in a total of 40 spaces on the property, with ingress located solely along 83rd Street and egress located solely on Madison Street.



Option #2 would add 19 spaces, resulting in a total of 41 spaces on the property. The entrance along 83rd Street would continue to provide solely ingress to the property, while the entrance along Madison Street would be widened to provide both ingress and egress. The proposed width of the entrance along Madison Street complies with the Zoning Ordinance. Currently, the property has a sub-standard amount of parking spaces as required by the Zoning Ordinance as permitted by a previous variation; however, with the petitioner attempting to add additional spaces, no amendment to the previous variation is required. In both options, the flow of traffic would be restricted to one-way on all sides of the building, with the primary difference being the direction of traffic flow in the front and side of the property. The parking lot design as shown in both options meets the requirements of the Zoning Ordinance relative to the dimensions of the parking spaces and drive aisles.



Public Hearing History

Two public hearings have been held regarding the subject property. The interior side yard requirements were waived as part of a general variation to construct the present building in 1988, while variations for a rear yard setback encroachment and a reduction in the required number of parking spaces along with a special use for a drive-thru facility were granted in 2005.

Four public hearings for variations related to front yard parking have been held for properties in the G-I District as follows:

V-18-1994: 166 Shore Drive (Quinlan & Fabish); Conditions included:

- Two handicapped-accessible spaces shall be reserved in the front of the property.
- All spaces shall be configured at 45 degree angles.
- All spaces shall be screened by berming and landscaping in accordance with staff approval, with the drive aisle width kept at the minimum width necessary to accommodate said landscaping.

Staff Report and Summary

V-01-2019: 8300 Madison Street (MB Financial); Variations and Findings of Fact

Page 4 of 5

• No overnight parking in the front of the building.

V-07-1994: 7601 Grant Street (Layland Development); No conditions.

V-01-1991: 6801 High Grove Boulevard (Marriott); Conditions included:

- Parking in front of building between midnight and 6am is prohibited.
- Parking in front of building is restricted solely to residents of facility and visitors, and shall not be used by employees.
- The Village had authority to approve the placement of directional signs on the property.
- Landscaping plans for site were to be approved by Village.
- Property reserves space for nine land-banked spaces.

V-14-1987: 8160 Madison Street (Craig & Steven Development); Conditions included:

- Parking in front of building is permitted solely between the hours of 7am-6pm.
- Landscaping plans surrounding parking areas shall be approved by Village.

Public Comment

No public comment was received on this petition.

Applicable Zoning Ordinance Section(s)

Section XI.C.8.b of the Zoning Ordinance states as follows:

"In no event shall parking be permitted in the Manufacturing, Office, and Transitional Districts anywhere in front of the building, whether in the front yard, the interior side yard, side yard adjoining the street or any buildable area in front of the building, nor anywhere in the side yard adjoining a street."

Section XI.C.11 of the Zoning Ordinance states as follows:

"All portions of a lot not parked or built upon or used for an accessory use shall be maintained in landscaping. In addition to and exclusive of driveways and aisles, open areas shall be provided within and around the perimeter of parking and loading areas to accommodate trees, shrubs and other landscape materials. The dimensions of required landscape areas shall be measured from the back of curb of the parking area."

"The width of landscape areas between parking areas and the front or corner side lot line shall be at least 15 feet."

Findings of Fact and Recommendation

The petitioner has provided findings of fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval of the variations, they should be approved subject to the site plan submitted by the petitioner or as may otherwise be modified based on the staff comments below.

If the Plan Commission determines that the findings for a variation are met by this petition and is inclined to recommend approval of the variations, staff has identified several issues with both options that should be changed. Those changes are outlined in the documents labeled "Staff Revision" and are as follows:

1. Staff has identified four spaces in option #1 and five spaces in option #2 that are recommended for removal. This recommendation is to accommodate larger landscape islands and to promote greater corner sight lines.

Staff Report and Summary V-01-2019: 8300 Madison Street (MB Financial); Variations and Findings of Fact Page 5 of 5

- 2. In option #1, staff has recommends adding a median within the parking lot near the entrance along Madison Street to eliminate the possibility of cross-over traffic (shown in black).
- 3. Neither option allows for landscaping to be planted between the edge of the parking lot and the property line, as there is no proposed setback space. The Zoning Ordinance states that a solid hedge line of landscaping shall be provided within and around the perimeter of parking. Staff has identified a conceptual location of where a landscape perimeter would be located if space were available; this location is shown in blue hatching abutting Madison Street and 83rd Street. It should be noted that the blue hatching is shown in the public right-of-way; staff does not usually recommend permitting private landscaping in a public right-of-way, as this creates incongruences as to who is responsible for the maintenance of the landscaping. If the variations are allowed and landscaping is required, a right of way encroachment agreement would have to be created to ensure the property owner maintains the landscaping in the public right of way.
- 4. The Subdivision Ordinance contains specific regulations related to the type, size, and placement of trees in rights-of-way; complete language has been provided in the exhibits. The petitioner's site plans show nine new trees to be planted in the right-of-way approximately 24' apart, whereas the Subdivision Ordinance states that right-of-way trees must be exactly 40' apart and at least 40' from the nearest corner of a street intersection. As a result, at least two trees along each street frontage will need to be eliminated from the site plan to comply with the Subdivision Ordinance.

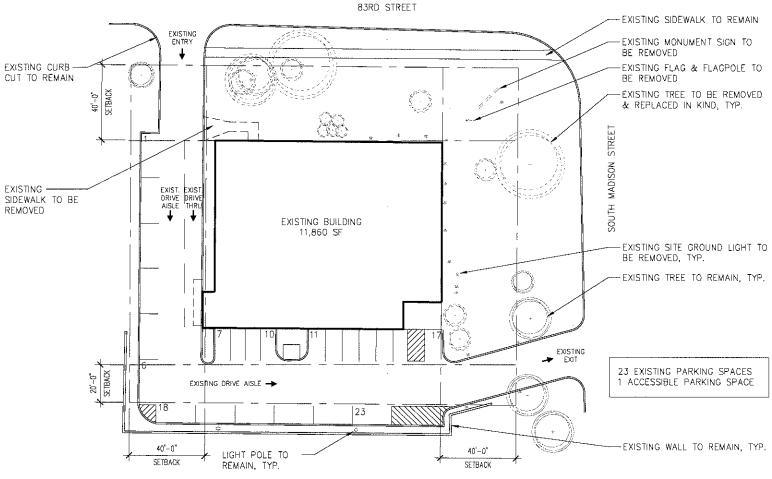
Along with the aforementioned revisions to the site plan, the following conditions are recommended if the variations were desired:

- 1. Two total handicapped-accessible spaces shall be reserved in the front or side of the property.
- 2. The maximum number of trees required by the Subdivision Ordinance shall be provided in the right-of-way subject to the approval of the Village Arborist.
- 3. A right-of-way encroachment agreement shall be created, with a landscaping plan to create a natural perimeter along the parking lot perimeter in the front and side yards, subject to approval by Village staff.
- 4. All parking lot lights above 10' in height shall be equipped with light shields mitigating the diffusion of light to neighboring properties.

Appendix

Exhibit A – Petitioner's Materials

EXHIBIT A





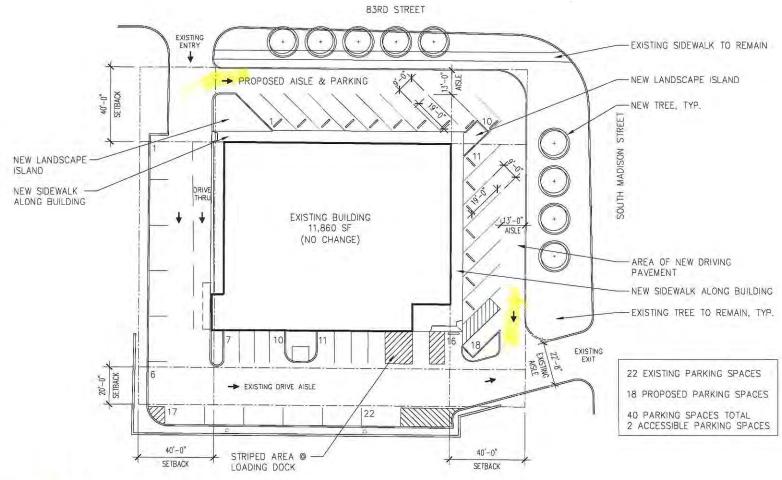


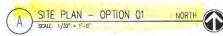
8300 South Madison Street Burr Ridge, IL 60527

Project Number: 08-5073 Date: 11.16.2018



Wight & Company wightco.com 211 North Clinton Street Suite 300N Chicago, IL 60661 P 312.261.5700







8300 South Madison Street Burr Ridge, IL 60527 Project Number: 08-5073 Date: 11.16.2018

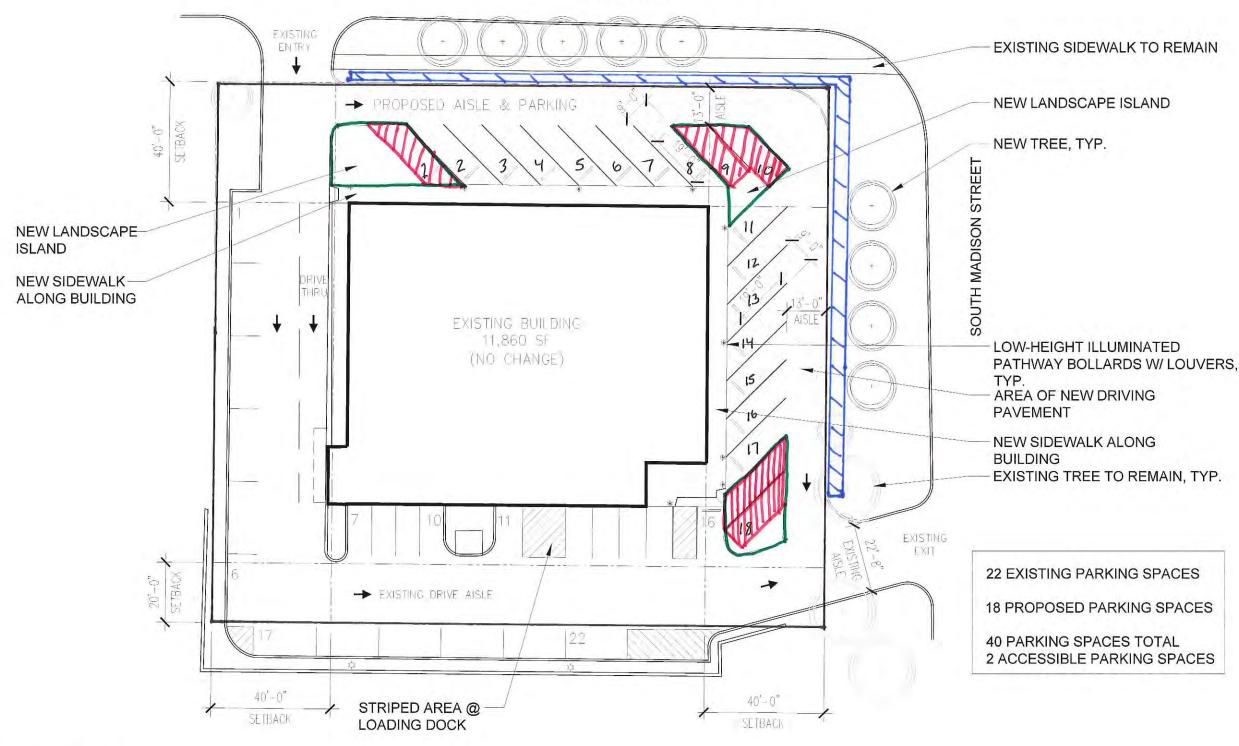


Wight & Company wighted.com 211. North Clinton-Street Suite 300N Chicago, IL 60561

P 312.261.5700 F 312.261.5701

STAFF REVISION

83RD STREET







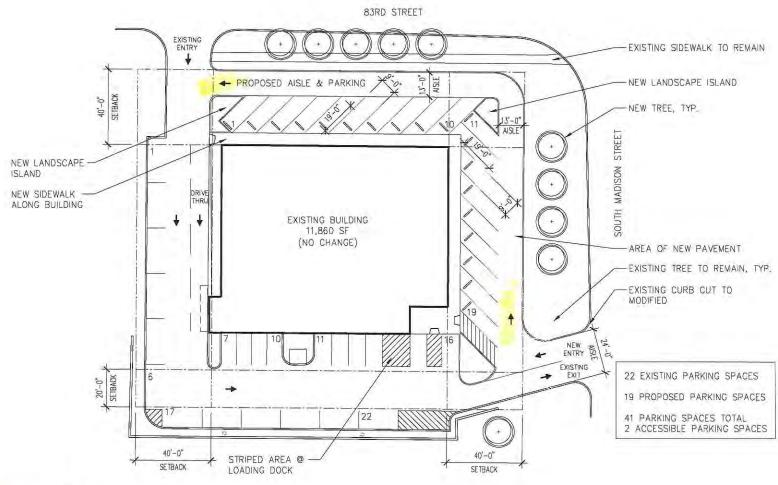
8300 South Madison Street Burr Ridge, IL 60527

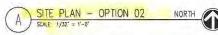
Project Number: 08-5073 Date: 12.06.2018



211 North Clinton Street Suite 300N Chicago, IL 60661

P 312.261.5700 F 312.261.5701







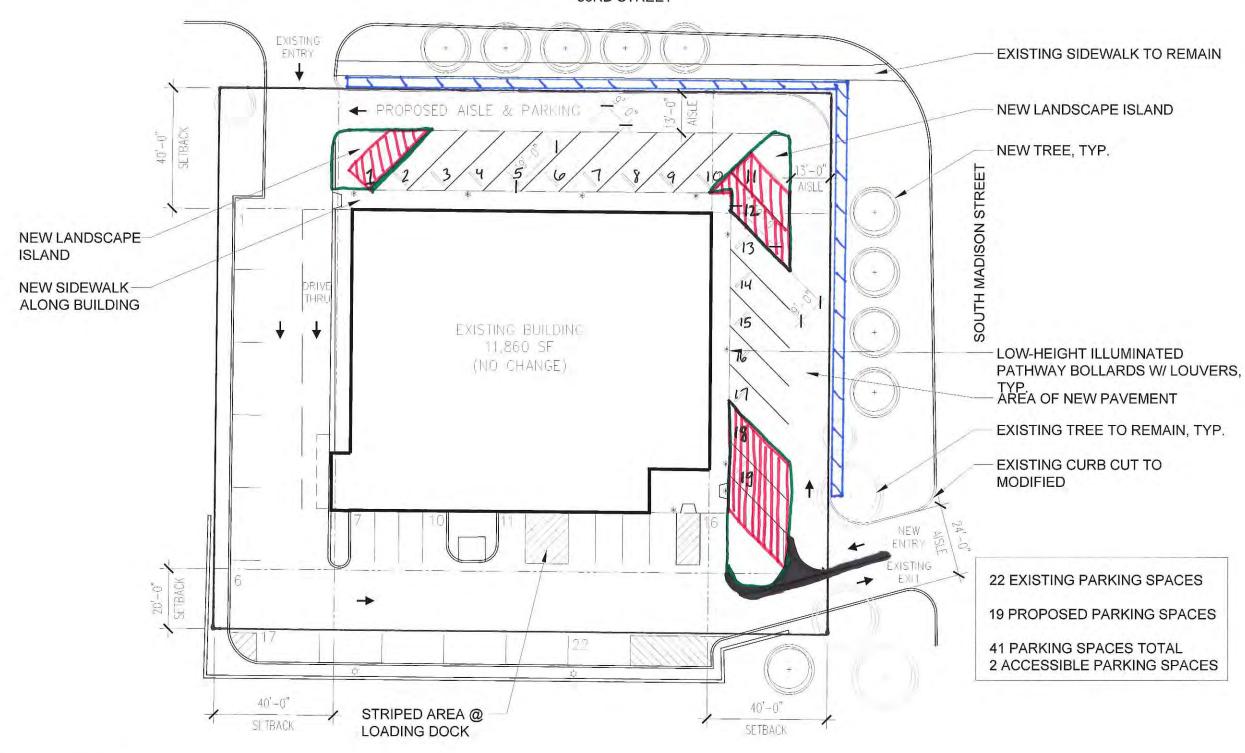
8300 South Madison Street Burr Ridge, IL 60527 Project Number: 08-5073 Date: 11.16.2018

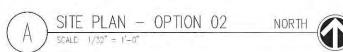


Wight & Company wightco.com 211 North Clinton Street Suite 300N Chicago, IL 60661 P 312.261.5700

STAFF REVISION

83RD STREET







8300 South Madison Street Burr Ridge, IL 60527

Project Number: 08-5073 Date: 12.06.2018



FINDINGS IN SUPPORT OF REQUEST FOR PARKING VARIATION 8300 S MADISON STREET, BURR RIDGE, ILLINOIS

MB FINANCIAL BANK, NA

a. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out

The current building and use is for a bank. Because of a consolidation of bank operations, the parking requirements are implicated. The warehouse area will now be occupied with desks and there will be more people working from this facility. Only the floor plan is changing. There will be no expansion of the footprint of the building. The property itself is constricted by 83rd Street on the north and S Madison Street on the east. The area available to provide increased parking is limited. The hardship to the property owner is that the entire property would have to be sold despite that fact that the bank use is not being changed to some other use. It is caused by the location of the existing building and existing parking lot which restricts how much additional parking we can add.

b. The property in question cannot 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 existing and proposed use is for a bank. It is not the bank use that impacts the value of the property. The loss in value comes from the zoning code that operates to restrict the kind of bank uses allowed in this existing building. In effect the zoning ordinance regulations renders the property useless to the bank without the requested parking variation.

c. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable/ generally/ to other property within the same zoning classification.

The location of the property at the corner of 83rd Street and S Madison Street, together with the location of the existing bank building, which limits the amount of additional parking that can be provided operate in such a way as to prevent the use of the property for the different banking operations. It is the unique interplay of the zoning requirements, the existing improvements on the property and the shift of banking uses needed at the property which mandate the need for the variation.

d. The purpose of the variation is not based primarily upon a desire to increase financial gain.

The property owner is not seeking an increased financial gain from the variation. In fact the use as a bank will not change, nor will the property be sold. The property owner (the bank) seeks to continue to use the property for its permitted uses. There is no financial gain to be obtained, but rather continued use of the property for its permitted uses.

e. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.

The hardship is caused by the parking provisions of the ordinance and not from the property owner in that the zoning ordinance turns a once-permitted bank use into a prohibited use by the property owner, despite the fact that the use will continue to be a bank.

f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The essential character of the neighborhood is generally commercial and industrial in nature. There are two homes to the east across S Madison Street but most traffic will continue in the current traffic flow. New employees will only be coming and going to work and the number of in and out trips during the day will not increase substantially. The location at a busy corner will ameliorate and assimilate the additional cars without a change to the character of the area.

g. The granting of the variation will not alter the essential character of the neighborhood or locality.

The essential character of the neighborhood is generally commercial and industrial in nature. There are two homes to the east across S. Madison Street but most traffic will continue as in the current traffic configuration. New employees will only be coming and going to work and the number of in and out trips during the day will not increase. The location at a busy corner establishes the character of the neighborhood and the existing bank building is already a part of the character of the immediate area of the property.

h. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

There will be no additional construction of buildings. The only improvements will be additional parking for the employees. No light or air will be impaired. The additional parking will actually reduce the danger of fire by providing a paved area around the entire building which will enhance the ease of fire-fighting. Adequate drainage systems exist to accommodate the revised site plan. The additional parking will not translate to increased congestion in the street as the employees will not be coming and going constantly throughout the day.

i. The proposed variation is consistent with the official Comprehensive Plan of the Village of Burr Ridge and other development codes of the Village.

This property is located at the southeast quadrant of a large commercial/industrial area bounded by 83rd street, S Madison Street and Interstate Route 55. It is consistent with the goals and objectives of the Comprehensive Plan in that it is a commercial use that strengthens and maintains property values and provides a strong tax base for the village. Further this bank use does not generate traffic patterns that significantly impact the existing two residential homes to the east of the property across S Madison Street. (See Community Vision, Goals and Objectives, page 2 # 1-1.2.) It conforms to the Comprehensive Plan recommendation that commercial uses that have minimal traffic impact on surrounding residential areas should be emphasized. (See Plan Recommendations in the Comprehensive Plan Executive Summary Page V).

The non-residential use is in conformance with the Comprehensive Plan that recognizes S Madison Street as the clear dividing line between the commercial and industrial uses on the west side of S Madison Street and the residential uses on the east side of S Madison Street.



yards. The Village Engineer may require sodding of side slopes and detention bottoms as determined appropriate.

- 2. Native grasses or prairie plantings may only be used when expressly permitted by the Board of Trustees upon recommendation from the Village Engineer and only for a subdivision that will have a homeowners association which has perpetual maintenance responsibility. The Board of Trustees may require a letter of credit or other security separate from the subdivision improvement security to ensure that native landscaping is properly established and maintained.
- 3. Perimeter landscaping shall include shade trees, ornamental trees, shrubs and similar landscaping. At a minimum, perimeter landscaping of outlots shall include the following:
 - a. Planting beds with a mix of canopy/shade, evergreen, and ornamental trees as well as deciduous shrubs, ornamental grasses, and flowering plants next to interior side and rear yards of adjacent private lots in an amount that will provide continuous (but not necessarily opaque) landscaping.
 - b. Planting beds with a mix of canopy/shade, evergreen, and ornamental trees as well as deciduous shrubs, ornamental grasses, and flowering plants extending along approximately 50% or more of the front or corner side yards of an outlot and along approximately 50% or more of the lot line next to the front yards of adjoining private lots.
- 4. Pond overflow spillways shall provide a minimum of one foot of freeboard and shall be protected by a "turfstone" type of erosion control application on and over the spillway.

F. Development Trees

It is the intent of this Section to ensure that the streets (whether public or private) in all new developments, including subdivisions, land divisions, planned unit developments, and all other developments of any kind (herein collectively referred to as "developments") approved by the Village of Burr Ridge are landscaped in such a manner as to ameliorate the impact of development on the natural setting and adjacent properties, and to provide an environment which will protect and improve property values. At the same time, the requirements of this Section are intended to minimize those factors which could result in increased development or maintenance costs for the developer and, in future years, for the Village and its taxpayers.

1. General Provisions - Incorporation of Standards

Performance standards for activities required under this Section shall be in accordance with the then latest available revision of the applicable standards as herein described, unless specific exceptions are approved by the Village Administrator upon receipt of a recommendation from the Village Forester or a Certified Arborist retained by the Village. Said standards, including those contained in the American National Standards Institute publication Z133.1 ("American National Standard for Tree Care Operations - Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush - Safety Requirements"), and "American Standard for Nursery Stock", published by the American Association of Nurserymen, as such may be amended from time to time, be and are hereby incorporated and adopted by reference as the standards of the Village of



Burr Ridge for the purposes of this Section. At least 3 copies of such standards, including any subsequent amendments thereto, shall be on file with the Village Clerk and made conveniently available for public inspection, use and examination, and 3 copies have been on file and available for public use, inspection and examination in the office of the Village Clerk for a period of at least 30 days prior to the adoption hereof.

2. Protection of Existing Trees

- a. As a precondition to the approval by the Village of the pattern of streets, parking or other paved areas, and the location of utilities, the developer shall submit a plan which includes detailed information regarding existing trees. The above plans shall be reviewed by the Village Engineer and Village Forester who, in consultation with the developer, shall recommend modifications to the site development plans.
 - (1) It shall be the purpose and intent of this review to maximize the number of trees which can be preserved without reducing the number of buildings or lots which would otherwise be permitted and without unreasonably increasing the cost of development.
 - (2) No site plan or Preliminary Plat shall be approved until all requirements herein set forth have been complied.
- b. All site grading plans, preliminary plats and preliminary engineering plans shall include a plan, drawn to the same scale as all other plats or plans, showing the following
 - (1) The location, size, species and condition of all existing trees 8" D.B.H (as measured 4.5' above the ground) and larger. Said plan shall distinguish between existing trees that are proposed to be preserved at their present location, destroyed, relocated or replaced.
 - (2) The location of all proposed tree fencing.
 - (a) Fencing for areas of trees to be preserved must be continuous in order to completely separate the construction area and the areas of trees to be preserved.
 - (b) No attachments, fences or wires, other than approved materials for tree bracing, guying or wrapping, shall be attached to any trees to be preserved during any of the construction period.
 - (c) All fencing shall be secured to metal posts driven into the ground at intervals of no greater than ten feet (10').
 - (3) The areas for the placement of excavation spoils which will not be immediately removed from the development property.
 - (4) The proposed measures, including, but not limited to, auguring, root pruning, crown reduction, that are to be taken to minimize construction impact on those trees remaining on the site.
- c. Following approval of the site plan or Preliminary Plat, the final plans and specifications to be submitted as required by Section V of this Ordinance shall include any revisions required by the Village to comply with the above provisions.



- d. Prior to approval by the Village Engineer of the final plans and specifications, as set forth in Section V of this Ordinance, the Village Forester shall complete the review of all matters relating to the removal, relocation or preservation of existing trees.
 - (1) When all aspects of the plans have been approved by the Village Forester, the developer shall be notified to stake the property for inspection and to clearly identify and tag all trees which are proposed to be removed and/or relocated. Staking shall delineate all roadways, driveways, walkways, utilities, detention/retention areas or other areas where significant grading or excavation will occur.
 - (2) The Village Forester will complete an inspection of the staking and tagging within two (2) working days of notification to the Village by the developer that the staking and tagging is ready for inspection. Following any revisions to the plans which are required as a result of this inspection and following any corrections to the staking or tagging, as required following the site inspection, including reinspection thereof, the Village Forester shall notify the Village Engineer in writing of his approval of the plans.
- e. Until such time as the required plans and specifications are approved by the Village Engineer and until such time as the Final Plat is approved by the Board of Trustees, the developer shall ensure that all staking and tagging, as set forth above, remains undisturbed.
- f. Following approval of the required plans and specifications, approval of the Final Plat and the posting of the letter of credit to guarantee completion of the required improvements, the developer shall notify the Village Engineer in writing at least five (5) working days in advance of the date when site preparation work is scheduled to begin. Site preparation shall be strictly limited to the following, in the order listed:
 - (1) Installation of all tree fencing required by the approved plans and specifications.
 - (2) Clearing from the site of only those trees and other vegetation indicated for removal on the approved plans and specifications.
 - (3) Root pruning, crown reduction and other tree preservation measures required by the approved plans and specifications.
- g. Before the date indicated by the developer for the start of site preparation work, the Village forester shall re-inspect the staking and tagging required herein to ensure that it has remained as approved. Only after the Village Forester has reported that all staking and tagging is acceptable will the Village Engineer notify the developer in writing that site preparation may proceed.
- h. No grading or installation of underground improvements shall be authorized by the Village until all site preparation work is completed and approved, following an inspection by the Village Forester.
- 3. Required Trees Plan Approval
 - a. Street Trees



- (1) The developer shall submit a street tree planting plan, prepared at the same scale as the engineering plans, for approval by the Village. Included on the face of said plan shall be a calculation of the number of trees required to comply with the provisions herein, including the method of calculation. Said plan shall be submitted after approval of the Preliminary Plat, at the same time that engineering plans and specifications are submitted.
- (2) Trees shall be planted within the existing or proposed street rights-of-way along all streets where the number of healthy trees that exist do not conform to the requirements below. This requirement shall include the developer's side of any existing street which the development adjoins.
- (3) All trees selected shall be grown in a nursery located in the northern half of the State of Illinois. The grade of all planting stock shall be in conformance with the "American Standard for Nursery Stock" published by the American Association of Nurserymen. Park grade trees shall not be allowed. The Village reserves the right to inspect and tag trees selected by the developer at the nursery before any trees are dug.
- (4) All trees selected shall be healthy and shall be free of insects and diseases, bark bruises and scrapes on the trunk or limbs before and after planting.
- (5) Each tree selected shall be consistent in form and character with the species and shall have a straight trunk with limbs not lower than six feet (6') above the ground.
- (6) All trees selected shall have a trunk diameter, measured six inches (6") above the ball, of not less than three inches (3").
- (7) Trees to be planted in the parkway shall be spaced no more or less than forty feet (40') apart, unless otherwise approved. They shall be no closer than:
 - (a) Five feet (5') back from the curb or, in the case of streets without curbs, five feet (5') back from the pavement edge or from the edge of any swale or ditch.
 - (b) Forty feet (40') from the nearest corner of the pavement of intersecting streets, said distance to be measured away from the corner along both of the streets.
 - (c) Ten feet (10') from driveways.
 - (d) Fifteen feet (15') from street lights.
 - (e) Five feet (5') from fire hydrants, buffalo boxes, vaults, and the like.
 - (f) Five feet (5') from sidewalks, unless otherwise required or approved.
- (8) The size and spacing requirements of this Section may also be satisfied, if approved by the Village, if trees, ranging in size from two and one-half inches (2-1/2") to five inches (5") exist, are planted, or a combination of these, in a naturalistic manner compatible with existing trees and terrain in the rights-of-way or within street tree easements in favor of the Village located within the first ten feet (10') of each lot immediately adjoining the



right-of-way. Such easement shall be on the Final Plat in a form and substance satisfactory to the Village Attorney. Provided, however, the total inches of trees to be planted shall comply with the requirements of this Section (i.e. number of trees required at forty foot spacing, times three inches per tree).

- b. Planned Developments, Including Clustered Single Family Detached Residences, Townhouses, Etc.
 - (1) The developer shall submit plans and specifications for the site and, if appropriate, information relating to landscaping of adjacent or surrounding areas affected by the proposed development. Such plans and specifications shall be prepared and signed by a professional landscape architect. These plans shall include:
 - (a) Distribution of plant material; location, quantity and key number of each species of plant in each group; outline of all lawn areas, areas to be seeded, sodded or sprigged; existing trees, if any, to be preserved, transplanted or removed; kind, size and work involved as related to slope control and/or physical environment.
 - (b) List of plant material giving standard botanical plant names and key number for each variety for reference to plan and, in addition, the size, quality or other pertinent description common to the trade.
 - (c) A specification describing the methods for planting the areas to be landscaped with special emphasis on: soil preparation, fertilization, plant material and methods of planting; and initial maintenance of the plant material and slopes until a specified percentage of plant coverage is established uniformly on the cut and fill slopes.
 - (d) A statement by the landscape architect regarding the length of time after planting, with the specified maintenance normally required, to produce the specified percentage of plant coverage on the slopes in the slope control areas; the additional length of time, without any special maintenance, normally required to produce a coverage of permanent planting which will control erosion; and landscape maintenance and plant replacement specifications.
 - (e) Details of all items and features pertaining to site preservation and improvements such as retaining walls and tree wells.
 - (f) Such other and further details as may be specified and required by the Village to carry out the purposes of this Section.
- 4. General Standards for Tree Planting

All required trees shall be planted during the first spring or fall planting season immediately following installation of the required underground improvements, curbs and gutters and roadway base, subject to prior written approval by the Village Forester.

- a. Planting Seasons
 - (1) The fall planting season shall be from October 1 to December 1.



(2) The spring planting season shall be from March 15 to May 15.

b. Planting Standards

- (1) Trees shall be balled and burlapped and shall not be dug for removal from the nursery until immediately prior to their planting.
- (2) The planting hole shall be twelve inches (12") larger in diameter than the diameter of the ball.
- (3) All trees shall be hand planted and planted straight.
- (4) The tree shall be planted the depth at which it was growing in the nursery. The ball shall be placed in undisturbed soil on the bottom of the hole to prevent settling.
- (5) In most instances, the backfill around the ball shall be the same soil as that which was removed from the hole; however, in cases where rocks, stones, etc. are encountered, topsoil shall be used.
- (6) Any excess soil, debris or trimmings shall be removed from the planting site immediately upon completion of planting.
- (7) Where necessary, trees shall be staked to ensure that they remain straight.
- (8) All tags, wires, plastic ties and wire baskets shall be removed from each tree.
- (9) Tree holes may be machine dug; but if any existing lawn is damaged, it shall be the responsibility of the developer to restore the lawn to its original condition, using sod. The sides of all holes that are machine dug shall be hand-shaped to eliminate glazing.

5. Permitted Species and Diversity of Species

- a. A list of permitted plant species shall be maintained by the Village Forester The approval of a species for a particular site shall be dependent upon the following criteria:
 - (1) Compliance with permitted species list.
 - (2) Compatibility of the species with the site.
 - (3) The overall species balance in the immediate area, as well as the overall species balance in the Village.
- b. The tree planting plan for a subdivision shall provide a diversity of species, genus and taxonomic families. Trees planted shall not exceed more than 10% of one species, 20% of any genus and 30% of one taxonomic family.



6. Prohibited Species

The following plant species shall not be planted on any public street, parkway, or other municipally-owned property:

Botanic NameCommon NameAcer negundoBox ElderAcer saccharinumSiler MapleAilanthus altissimaTree of Heaven

Catalpa speciosa Catalpa

Coniferales ord. Evergreens of any type

Crataegus spp. Hawthorn (varieties with thorns)

Elaeagnus spp.
Franxinus spp.
Ginko biloba (female)
Juglans spp.
Maclura pomifera

Russian Olive
Ash of any type
Female Ginko
Walnut of any type
Osage Orange

Malus pumila Apple Morus spp. Apple Mulberry

Populus spp. Cottonwood, Poplar, Aspen

P. alban nives
Prunus spp.
Pyrus calleryana 'Bradford'
Quercus palustris
Silver White Poplar
Cherry plum
Bradford Pear
Pin Oak

Rhamnus spp. Buckthorn of any type

Robinia pseudoacacia Black Locust (varieties with thorns)

Salix spp. Willow

Ulmus spp. Elms of any type (unless DED resistant)

Coniferales ord. Evergreens of any type

7. Required Maintenance

Throughout the installation of the required improvements, the developer shall be fully responsible for the preservation and protection of those existing trees identified on the approved plans and specifications. In addition, the developer shall be fully responsible for the maintenance in a healthy, flourishing condition of all trees required to be planted until the end of the two-year maintenance period (which is required by this Ordinance for all improvements) following acceptance of the improvements by the Village. In the case of those trees which are replaced during the two-year maintenance period and which will not have been in the ground for two years at the expiration of the two-year maintenance period (the time required to ensure the Village that they will continue to flourish once they are being maintained by the Village), the developer shall be required to post cash with the Village as a guarantee, as set forth in subsection e below.

- a. At a minimum, the following schedule of specific maintenance activities shall be observed:
 - (1) April All tree wrap shall be removed and trees shall be fertilized and mulched and checked for settling, straightness and soil moisture.
 - (2) April thru August Trees shall be inspected and treated as needed to ensure that they remain free of disease and/or insect infestation.



- (3) June thru August Trees shall be watered on a regular schedule to prevent drought stress and to ensure healthy growth. Care should be taken not to over-water.
- (4) Before November 1 The trunks of all trees shall be wrapped to prevent winter bark damage by the elements and/or animals. Trees shall be pruned (as needed), fertilized and mulched.
- b. In order to ensure that trees are maintained in the manner required, the Village shall cause all new development trees, including the existing trees to be preserved and protected, to be inspected by the Village Forester on a periodic basis. The findings of the Village Forester shall be reported to the developer with specific requirements for corrective action, which shall be immediately implemented by the developer. The Village Forester shall also maintain a record of those trees replaced and the date of their replacement.
- c. Since the building construction activities associated with the new development can endanger the well-being of those trees planted by the developer, as well as those trees which are to be preserved and protected, developers are encouraged to require individual builders or contractors to post bonds with them which can be used to pay for tree replacement, if necessary. In no event, shall the Village assume the role of arbitrator in determining the party responsible for tree damage. Notwithstanding the above, the developer shall remain responsible for the health and vitality of all trees required to be planted or preserved and protected until the end of the required maintenance period set forth in this Ordinance and in Chapter 57 of the Burr Ridge Municipal Code.
- d. The developer shall be required to replace those trees which have become so damaged, deformed, diseased or otherwise unhealthy that the Village has good reason to believe they cannot survive in good condition. The determination of the Village shall be based on the recommendation of the Village Forester and shall be final.
 - (1) Where tree replacement is required by the Village, planting shall occur during the current planting season, if possible, and, if not, then in the next planting season following notification by the Village.
 - (2) The size and quality of replacement trees shall be equal to or better than the size and quality of the trees to be replaced, as approved by the Village Forester.
 - (3) In the case of those trees which were required to be preserved and protected, the applicant shall be required to replace any such trees with trees equal in diameter (measured 12" from the base) if the tree which is lost is 6" or less in diameter, provided such trees are commercially available. If any such tree is greater than 6" in diameter, or otherwise is not commercially available, then the developer must replace any such lost tree with trees with a minimum diameter of five inches and equaling in number the figure reached by dividing the diameter of the tree which is lost by five (and rounded up if it results in a fraction of .5 or above and down if it results in a fraction less than .5) (e.g. if a 15" tree is lost, it would have to be replaced with 3 trees with each to have a minimum diameter of 5" or better, with all diameters to be measured 12" above the ground).



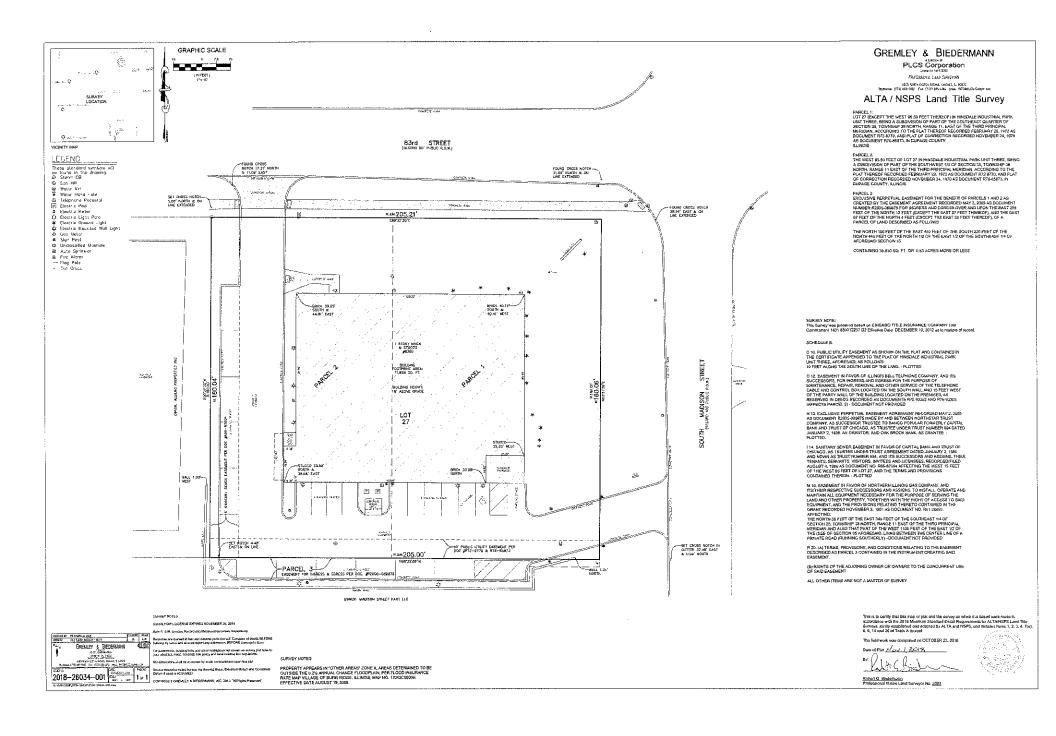
- e. As set forth above, there will be instances when the developer is required to replace trees during the two-year maintenance period and, as a result, the Village will be afforded less than two years to monitor the health and vigor of these trees in order to ensure that it will be assuming responsibility for trees which will continue to flourish. Therefore, prior to the expiration of the two-year maintenance period and prior to the release of the letter of credit or other security required by Section VII of this Ordinance, for each tree which has been in the ground less than two years at the expiration of the two-year maintenance period the developer shall be required to deposit with the Village a tree guarantee in the form of a cash bond, which shall be held for a period of two years following the expiration of said two-year maintenance period.
 - (1) The purpose of the required cash bond shall be to ensure against loss due to improper planting techniques, disease or lack of proper maintenance by the developer.
 - (2) The amount of the required cash bond shall be equal to 125% of the then current replacement cost of each tree to be guaranteed.
 - (3) At least four (4) months prior to the expiration of the required maintenance period, the Village Forester, using the record of tree replacement dates, shall prepare a report to the Village Engineer listing those trees for which a cash bond is required. This report shall include the date the tree was planted, the current replacement cost of the tree, and the current condition of the tree.
 - (4) The developer shall be notified in writing by the Village Engineer of the required amount of the cash bond. Said notice shall include a copy of the Village Forester's detailed report. Any disagreement between the developer and the Village Forester regarding the number of trees to be guaranteed or the required amount shall be resolved by the Village Engineer not less than two (2) months prior to the expiration of the required maintenance period and the expiration of the required letter of credit or other security.
 - (5) Not less than one (1) month prior to the expiration of the required maintenance period and the expiration of the required letter of credit or other security, if the developer has not deposited the required cash bond with the Village, the amount of said cash bond shall be drawn from the developer's security to be held by the Village for the purposes herein set forth.
 - (6) For all such trees for which a cash bond has been deposited with the Village, the Village Forester shall continue to conduct inspections on a periodic basis. The findings of the Village Forester shall be reported to the Village (with a copy to the developer) with specific requirements for corrective action. Corrective action of a maintenance nature shall be immediately implemented by the Village at its own expense. If, however, the only proper corrective action, in the opinion of the Village Forester, is replacement, the cost for such replacement shall be drawn from the cash bond following written notice to the developer and, after replacement, any funds remaining for that tree shall be released to the developer. Notice shall be given by depositing the same in the U.S. mail, postage prepaid, addressed to the developer or his authorized agent at such address as is shown on the then most current records of the Village. Receipt of such notice shall be conclusively presumed from proof of mailing.



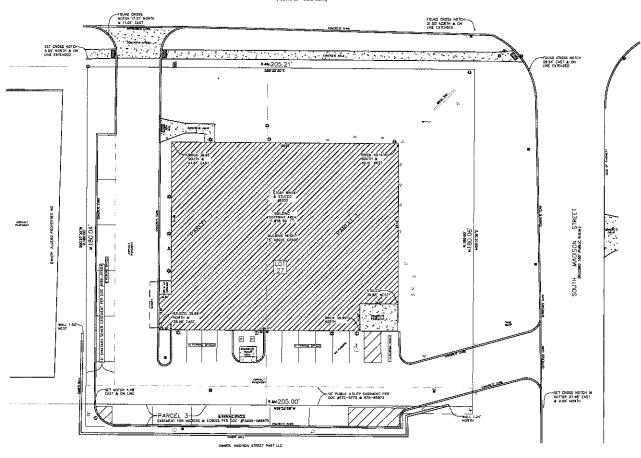
VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 8300 S Madison Street PIN #
GENERAL INFORMATION PETITIONER: MB Financial Bank NA; c/o Robert Kenny of Schain Banks - Attorney (All correspondence will be directed to the Petitioner) PETITIONER'S ADRESS 70 W. Madison Street, Suite 5300, Chicago, Illinois 60602 PHONE: 312-345-5743 Direct #; 312-636-7657 Cell # EMAIL: rkenny@schainbanks.com PROPERTY OWNER: MB Financial Bank NA STATUS OF PETITIONER: Attorney for Owner OWNER'S ADDRESS: 6111 N River Road, Rosemont, IL 60016 PHONE: 847-653-2417
PROPERTY INFORMATION PROPERTY ACREAGE/SQ FOOTAGE: Approx. 36,900 sq ft
DESCRIPTION OF REQUEST PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S): Special Use Rezoning Text Amendment Variation(s) Variation to allow parking in the front yard and corner side yard Please Provide Written Description of Request - Attach Extra Pages If Necessary
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition. Petitioner's Signature Date Petition is Filed













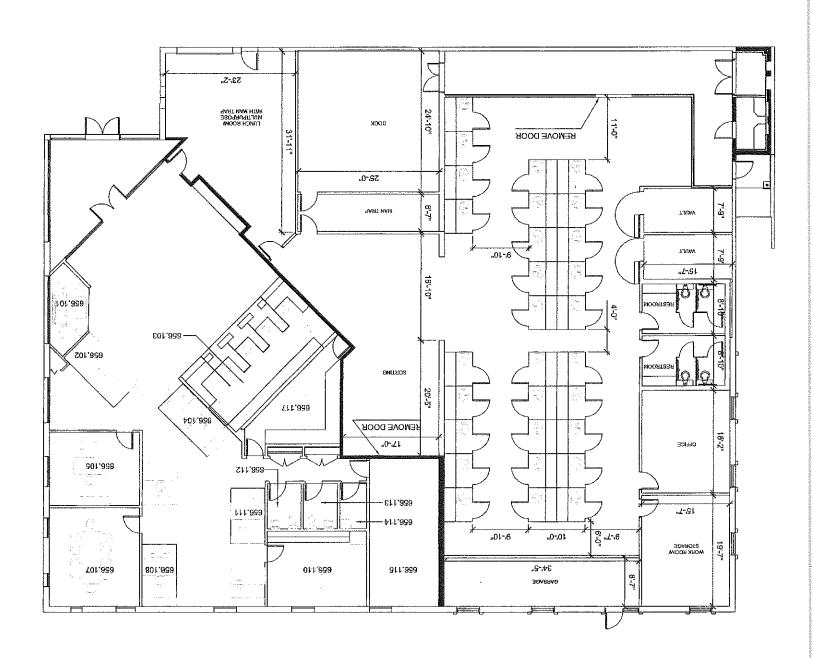
8300 South Madison Street Burr Ridge, IL 60527

Project Number: 08-5073 Date: 11.16.2018



Wight & Compony wighten.com 211 North Clinton Street Suite 300N Chicago, IL, 60661

Chacago, II, 60661 P 312.261.5700 F 312.261.5701





VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

Property Owner or Petitioner:

8300 S. Madison

(Print Name)

· Kikink

Piech, Ryan M 8460 Kimberly Ct Burr Ridge, IL 605270000 PIN 09363100080000

83Rd Burr Ridge Partners

Westmont, IL 605210000 PIN 09352050340000

Grozich, Phyllis M Tr 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050210000

Galinski, Adolph 8413 Charleston Dr Burr Ridge, IL 605270000 PIN 09363000150000

Lutz, Mark C 7624 Drew Ave Burr Ridge, IL 605210000 PIN 09361030110000

Polich Jr, Frank J & L 15W751 83Rd St Hinsdale, IL 605270000 PIN 09363000030000

Forsner, L & N Montelbano 8437 Charleston Dr Burr Ridge, IL 605210000 PIN 09363000170000

The Northern Trust Co 50 S La Salle St Chicago, IL 605270000 PIN 09363100020000

Kluber, Thomas 780 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000100000

Almero Properties Llc 16W115 83Rd St Burr Ridge, IL 605270000 PIN 09354030190000 Payawal Tr, Roy 777 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363100010000

Morgan, Venessa & Damian 15W752 83Rd St Burr Ridge, IL 605270000 PIN 09361030220000

Village Of Burr Ridge 7660 S County Line Rd Burr Ridge, IL 605210000 PIN 09352050120000

Kuczaj, John & Dorothy 401 N Rose Ave Park Ridge, IL 605210000 PIN 09361030240000

Holton, Eric & Jennifer 15W721 82Nd St Hinsdale, IL 605210000 PIN 09361030030000

Madison Street Part Llc 14497 John Humphrey Orland Park, IL 605276215 PIN 09354030300000

Tuthill Corp 8500 S Madison St Burr Ridge, IL 605210000 PIN 09354030330000

Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 0 PIN 09352050300000

Cook Financial Llc 5600 N River Rd Rosemont, IL 605210000 PIN 09354030280000

Mb Financial Bank 6111 N River Rd Rosemont, IL 605270000 PIN 09354030220000 Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040240000

Morgan, Venessa & Damian 15W752 83Rd St Burr Ridge, IL 605270000 PIN 09361030230000

Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040200000

Ziffra, Allen & Patricia 15W706 83Rd St Burr Ridge, IL 605210000 PIN 09361030120000

Segal, Jeffrey T 15W739 82Nd St Burr Ridge, IL 605210000 PIN 09361030020000

Semegen, Andriy & Alisa 15W719 83Rd St Burr Ridge, IL 605210000 PIN 09363000050000

Sloane, Jennye I 740 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000130000

Mb Financial Bank 6111 N River Rd Rosemont, IL 605270000 PIN 09354030210000

Ruminski, Stanley & P 760 Cambridge Dr Burr Ridge, IL 605210000 PIN 09363000110000

Sparrowhawk Chicago Ind 377 E Butterfield Rd Lombard, IL 605210000 PIN 09352050360000 Roman, Joan M 8303 Madison St Burr Ridge, IL 605210000 PIN 09363000020000

Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 605210000 PIN 09352050330000

Molfese, Ronald & Shelley 8301 S Madison St Burr Ridge, IL 605270000 PIN 09363000010000

Ctltc Bv11880 10 S Lasalle St Chicago, IL 605210000 PIN 09352050140000

Wood Creek li Venture Llc 10204 Werch Dr Woodridge, IL 605210000 PIN 09352040180000

Hemsworth, Willard & Mary 750 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000120000

Ctltc B7900554824 10 S Lasalle St Chicago, IL 605210000 PIN 09354030180000

Fghrealco 16W070 West 83Rd St Burr Ridge, IL 605210000 PIN 09352050420000

Hughes Investment Propert 16W153 83Rd St Burr Ridge, IL 605270000 PIN 09354030290000

Community Support Service 16W127 83Rd St Burr Ridge, IL 605270000 PIN 09354030170000 Ritchey, Richard & L 15W770 82Nd St Burr Ridge, IL 605210000 PIN 09361020060000

Fghrealco 16W070 West 83Rd St Burr Ridge, IL 0 PIN 09352050110000

Fitzgerald, Thomas & L 8401 Charleston Dr Burr Ridge, IL 605270000 PIN 09363000140000

De Clouette, D & D Perry 744 Camelot Dr Burr Ridge, IL 605210000 PIN 09363100040000

Madison Street Part Llc 14497 John Humphrey Orland Park, IL 605276215 PIN 09354030310000

Michaels, Paul & Rebecca 8472 Kimberly Ct Burr Ridge, IL 605210000 PIN 09363100090000

Payovich, Ms

Oak Brook, IL 605210000 PIN 09352050410000

Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 605210000 PIN 09352050290000

Nowak, Ronald & Susan 15W703 82Nd St Hinsdale, IL 605210000 PIN 09361030040000

Sreniawski Family Trust 15W735 83Rd St Willowbrook, IL 605270000 PIN 09363000040000 Tan, Timothy 766 Camelot Dr Burr Ridge, IL 605210000 PIN 09363100050000

Bril Trust

Mt Prospect, IL 605210000 PIN 09354030250000

Rohner, Randall W & A 15W736 83Rd St Burr Ridge, IL 605210000 PIN 09361030100000

Bakka, Richard S 743 Camelot Dr Burr Ridge, IL 605270000 PIN 09363100150000

Kruse, Joseph & Joanna 8448 Kimberly Ct Burr Ridge, IL 605270000 PIN 09363100070000

Munoz, Francisco & L 8425 Charleston Dr Burr Ridge, IL 605210000 PIN 09363000160000

Natale, Frederick 2342 W Hazelhurst Dr Anthem, AZ 605270000 PIN 09363100060000

L C & F Enterpries Inc 20 Willow Bay Dr S Barrington, IL 605270000 PIN 09352040190000

Zbp 4 S Washington Cir Hinsdale, IL 605210000 PIN 09352050080000

Tuthill Corp 8500 S Madison St Burr Ridge, IL 605210000 PIN 09354030320000 Weeks, Kevin & Marla 511 W 56Th St Hinsdale, IL 605210000 PIN 09363000060000

Krasick Trusts 747 Cambridge Dr Burr Ridge, IL 605210000 PIN 09363100030000

Grozich, Phyllis M 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050100000

Almero Properties Llc 16W115 83Rd St Burr Ridge, IL 605270000 PIN 09354030200000



QUIT CLAIM DEED



FRED BUCHOLZ
DUPAGE COUNTY RECORDER

FEB.11,2008

RHSP 3:19 PM 09-35-403-021

Above Space

DEED 002 PAGES

R2008 - 021575

THE GRANTOR, MB Financial Bank, N.A., a national banking association, as successor in interest to Oak Brook Bank, an Illinois banking corporation, for the consideration of (\$10.00 --) Ten Dollars, and other good and valuable considerations in hand paid, CONVEY(S) and QUIT CLAIMS(S) to MB Financial Bank, N.A., a national banking association whose address is 6111 North River Road, Rosemont, Illinois 60018 all interest in the following described Real Estate, situated in DuPage County, Illinois, commonly known as:

8300 Madison Street, Burr Ridge, Illinois 60521; and 45 83rd Street, Burr Ridge, Illinois 60521 and legally described as:

PARCEL ONE:

LOT 27 (EXCEPT THE WEST 95.50 FEET) IN HINSDALE INDUSTRIAL PARK, UNIT 3, BEING A SUBDIVISION OF PART OF THE SOUTH EAST ¼ OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 29, 1972 AS DOCUMENT R72-9770, IN DUPAGE COUNTY, ILLINOIS.

PERMANENT INDEX NUMBER: 09-35-403-022

PARCEL TWO:

THE EAST 255 FEET OF THE NORTH 12 FEET (EXCEPT THE EAST 87.00 FEET THEREOF) AND THE EAST 87 FEET OF THE NORTH 4 FEET (EXCEPT THE EAST 50.00 FEET THEREOF) OF A PARCEL OF LAND DESCRIBED AS FOLLOWS: THE NORTH 150 FEET OF THE EAST 450 FEET OF THE SOUTH 220 FEET OF THE NORTH 440.0 FEET OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

PERMANENT INDEX NUMBER: 09-35-403-021

Permanent Real Estate Index Number(s)

09-35-403-022-0000

09-35-403-021-0000

Address(es) of Real Estate:

8300 Madison Street, Burr Ridge, Illinois 60521; and

45 83rd Street, Burr Ridge, Illinois 60521

This deed is made subject to the liens of all trust deeds, mortgages or other liens or encumbrances upon said real estate, if any, recorded or registered in said county.

Quit Claim Deed dated October 16, 2007 to MB Financial Bank, N.A., a national banking association

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed by one of its Officers and attested by its Secretary, the day and year first above written.

MB Financial Bank, N.A., a national banking association, as successor in interest to Oak Brook Bank, an Illinois banking corporation

	as successo	r in interest to Oak Brook Bank, an Illi	nois banking co.	rporation
	12	in 12/1/14		
	Ву	Name: Ronald Santo	Chairman	<u>-</u>
		Donis A Day		
	Attes	Name: Dorial. Koros	Secretary	
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	GIV.	STATION SY		**************************************
		Notary Public	No.2	JAHAIRA SOTO
		My Commission Expires 24	12016	NOTARY PUBLIC STATE OF ILLINOIS My Commission Expires 09/26/2010
Quit		ated October 16, 2007 to MB Financial B	ank, N.A., a nat	ional banking association Page 2
D	NAME	Adriana Quick MB Financiał Bank, N.A.		This document prepared by: Mary T. LaPierre
E	STREET	6111 N. River Road, 10 Floor	7	MB Financial Bank, N.A.
L		Rosemont, Illinois 60018	1 Buy 1	6111 N. River Road
I V	CITY	(847) 653-2351	7.2.	10th floor Rosemont, 1L 60018
V E	CITY			Noscinont, II, 00010
D		OB		

RECORDER'S OFFICE BOX NUMBER

Y



V-02-2019: 11905, 11933, and 11957 Heritage Drive (Karunaratne); Requests a variation pursuant to Section VI.D of the Burr Ridge Zoning Ordinance to reduce the required front yard setback from 50 feet to 35 feet on three lots of record in the R-2A Residential District.

HEARING:

January 7, 2019

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Evan Walter Asst. to the Village Administrator

PETITIONER:

Samadhi Karunaratne

PETITIONER STATUS:

Representative of Property Owners

PROPERTY OWNER:

11905: Simon Bradley; 11933: Tony Sandoval; 11957: Sameer Suhail

EXISTING ZONING:

R-2A Residential

LAND USE PLAN:

Recommends Single-Family Residential

EXISTING LAND USE:

Single-Family Residential

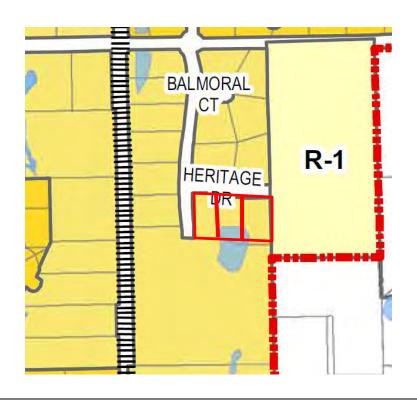
SITE AREA:

~31,000 SF per lot

SUBDIVISION:

Highland Fields 3A





V-02-2019: 11905, 11933, 11957 Heritage Drive (Karunaratne); Variation and Findings of Fact Page 2 of 3

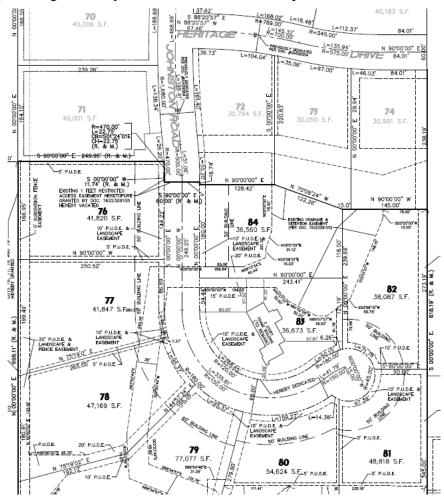
The petitioner is Samadhi Karunaratne, representative of three property owners at 11905, 11933, and 11957 Heritage Drive. The petitioner requests a variation pursuant to Section VI.D of the Burr Ridge Zoning Ordinance to reduce the required front yard setback from 50 feet to 35 feet on each of the three lots. The request for variation is motivated by the presence of a sanitary sewer easement and pipe bisecting the subject properties, thus reducing the size of the buildable area on each lot. The sewer was installed in 2001, before the subdivision was created and before any current owner had an interest in the subject properties. The pipe is also located very close to the northern boundary line of the easement where homes may be built. Under the current site plan, the foundation of homes could legally be less than two feet from a major sanitary sewer line, and future work on either a foundation or the sewer could endanger the structural integrity of the other built object. No permanent structures may be built in the easement.

The petitioner requests that the front-yard setback be reduced from 50 feet to 35 feet to allow for the proposed building pads to be shifted away from the pipe. To compensate for the reduction in front-yard easement, the petitioner proposes creating a permanent 10' buffer abutting the northern boundary of the easement in which no structures could be built. This buffer would ensure that neither the foundations of future buildings nor the pipe would be endangered if work were required on either the home or the pipe.

The petitioners have explored two solutions to avoiding a variation, with both petitioners and staff concurring that neither is practical. First, the petitioners attempted to move the pipe from the rear yards to the front yards in the public right-of-way; this was found to be cost prohibitive, with bids

between \$160,000 \$400,000 returned, and the abandoned. concept was Second, petitioners the explored constructing extradeep foundations at their homes, with the footings located below the depth of the pipe. Cost estimates were not provided for this option, but this would likely add significant cost and complexity that are not recommended by staff due to structural uncertainties. report from the Village Engineer describing each proposal is attached review.

The setbacks of the five existing homes within view of the three subject properties all have setbacks between 50-55'. The location of the three lots along Heritage Drive to existing lots in Highland



Staff Report and Summary

V-02-2019: 11905, 11933, 11957 Heritage Drive (Karunaratne); Variation and Findings of Fact Page 3 of 3

Fields as well as new lots in Highland Fields 3B is shown in the picture to the right.

The owners of lots 72 and 73 (11957 and 11933) have submitted building plans for proposed homes, with the exact footprints of each structure shown on their respective lots in Exhibit A. The footprints would not change shape in any way if the variation were approved; they would simply be moved closer to the front property line in accordance with the variation. The owner of lot 74 (11905) has not submitted any building plan to the Village at this time.

Public Hearing History

No previous public hearings have been held regarding the subject property.

Public Comment

Several neighbors objected to the petition, as well the Highland Fields HOA. The HOA states that their Design Review Manual, established in the subdivision's Covenants, Conditions and Restrictions, mandates that all homes in Highland Fields (of which these lots are within) have a 50' front yard setback. The HOA has stated that it will decline to grant the subject properties the necessary variations from their Design Review Manual to reduce the HOA required front yard setback from 50' to 35'. It is Village policy that local HOA rules such as this be enforced even if a variation from Village standards were granted, and thus these lots would still be required to observe a 50' front yard setback even if such a variation were granted from Village regulations.

Applicable Zoning Ordinance Section(s)

Section VI.D.7 of the Burr Ridge Zoning Ordinance is as follows:

• The minimum front-yard setback for single-family residential uses in the R-2A Residential District is 50 feet.

Findings of Fact and Recommendation

The petitioner has provided findings of fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval of the variation for each property, they should be approved subject to the site plan with the condition that a 10' buffer be created on the northern boundary of the existing easement in which no permanent structures may be built and a notation recorded on the plats to ensure that clearance is maintained.

Appendix

Exhibit A – Petitioner's Materials

EXHIBIT A

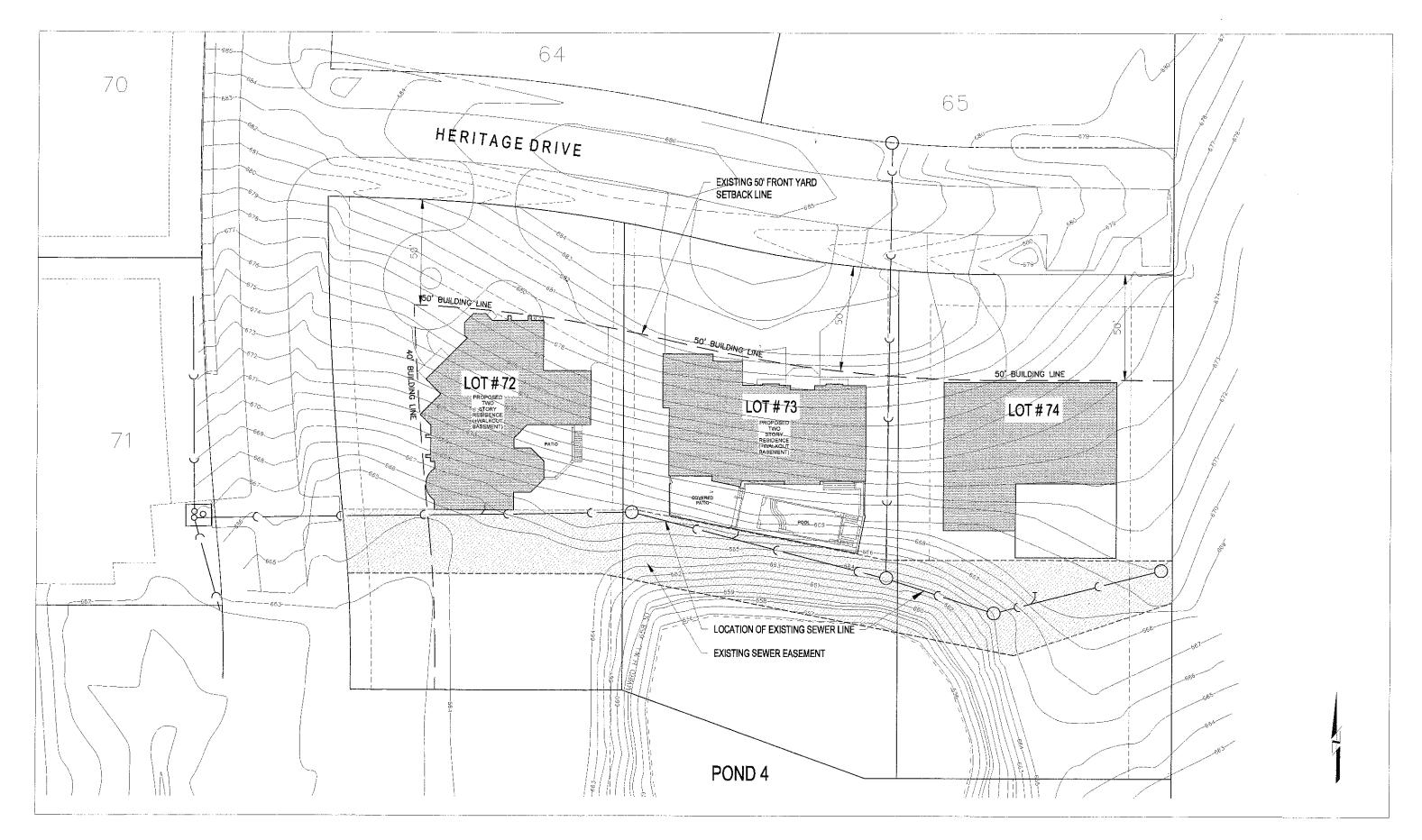
DESCRIPTION OF ZONING VARIATION REQUEST FOR LOT 72, 73, AND 74 LOCATED SOUTH OF HERITAGE DRIVE, HIGHLAND FIELDS SUBDIVISION, BURR RIDGE, ILLINOIS

We hereby request the 50' front yard building setback as required by Village of Burr Ridge Zoning Ordinance Section VI.D.7.a.(1), to be reduced to 35', for the following reasons.

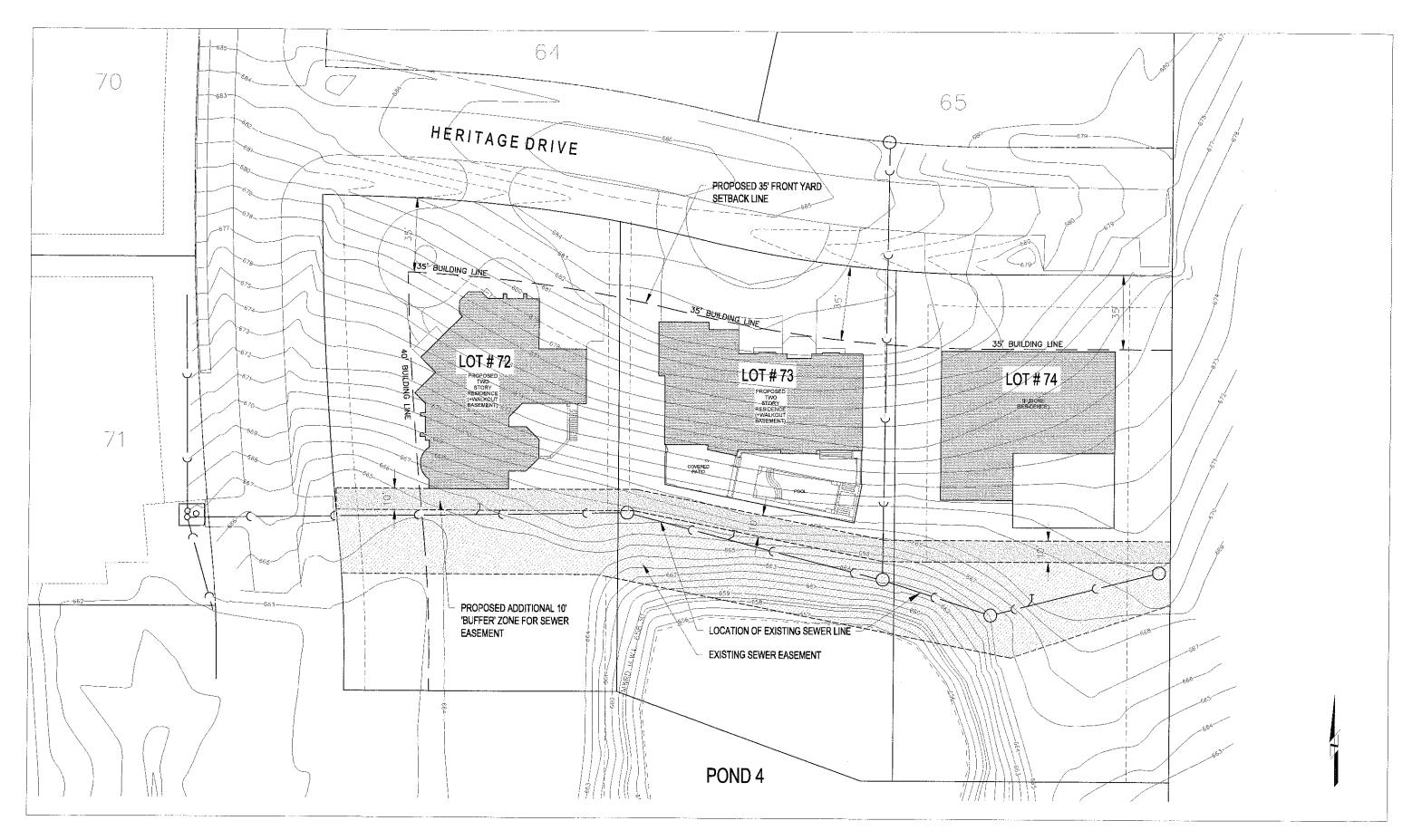
There is an existing sanitary sewer line located in the Utility Easement spanning across the rear yard portions of these three lots. The sewer line is located with close proximity to the northern boundary of utility easement, making it extremely closer to the allowed buildable areas of lot 72, 73, and 74.

The existing sewer line is located as deep as 18' below grade in certain areas, requiring substantial excavation work to take place if needed by future maintenance work. Deep excavations with this close proximity to a built structure pose substantial challenges and undue burden to structural integrity of the building.

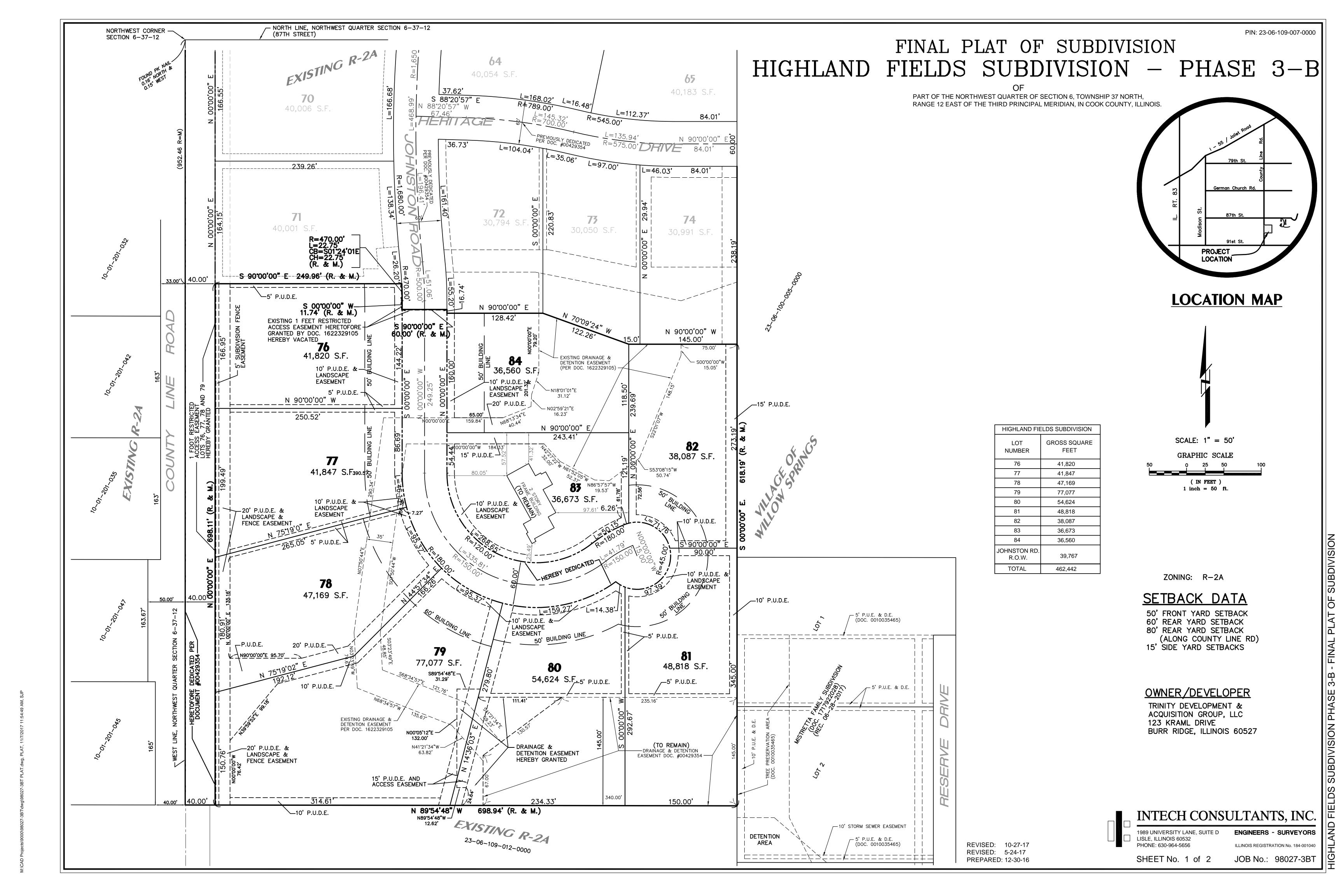
A reduction in front yard setback will allow the permitted buildable areas to be located further north, thus creating an additional 10' 'buffer zone' along the northern boundary of existing easement, making future buildings minimum 10' away from the existing utility easement and the sewer line.



EXISTING SEWER EASEMENT AND 50' FRONT YARD SETBACK LOT # 72, # 73, AND # 74 AT HIGHLAND FIELDS SUBDIVISION - BURR RIDGE - IL



PROPOSED 10' ADDITIONAL 'BUFFER' ZONE FOR SEWER EASEMENT AND 35' FRONT YARD SETBACK LOT # 72, # 73, AND # 74 AT HIGHLAND FIELDS SUBDIVISION - BURR RIDGE - IL



M E M O

To: Evan Walter, Assistant Community Development Director

From: David Preissig, P.E., Director of Public Works & Village Engineer

Date: December 18, 2018

Subject: Setback Concurrence for Lot 72, 73, and 74 in Highland Fields 3A

This memo will serve as a summary of alternatives for mitigating an impact to the subject parcels from an existing sanitary sewer in a drainage and utility easement behind these parcels in Burr Ridge, Cook County, Illinois.

Existing Conditions:

- a) Lots 72, 73, and 74 are zoned R-2A in the Highland Fields subdivision. Their lot sizes are 30,794, 30,050, and 30,991 square feet, respectively.
- b) The lots are encumbered by a public utility and drainage easement located in the rear of these lots, which contains a sanitary sewer and a storm sewer serving the Highland Fields subdivision. The sanitary sewer is an 8-inch diameter PVC pipe constructed along the north limit of the easement, which may be as close as 2 feet from the easement line in Lots 72 and 73.
- c) The existing sanitary sewer behinds Lots 72, 73, and 74, was constructed in 2001 under permit (MWRD #99-443), which included construction of a sanitary lift station near 8804 Johnston Road. The depth of the sanitary sewer and lift station was originally designed to accommodate future subdivision of a 14-acre parcel located east of these lots, and by which a gravity-flow sanitary sewer connection could be provided. This 14-acre lot is currently zoned R-1; however, an annexation agreement commits the Village to R-2A re-zoning, making possible a total of 10 future residences.
- d) To accommodate this future sanitary sewer connection, the sanitary sewer is set to a depth of 21.06 feet below existing ground in the easement at the southeast corner of Lot 74.
- e) The existing sanitary sewer is active and serves an existing home at 11904 Heritage Drive. The sewer includes stubs to facilitate future connections to homes on Lots 72, 73 and 74.

In order to construct to the allowable floor area ratio and achieve the investment anticipated in these lots, the homes proposed on Lots 72, 73 and 74, would construct foundations to the maximum extents possible between the 50-foot front-yard setback and the rear-yard public utility and drainage easement. With the close proximity of this sanitary sewer to the north easement limit and proposed foundations, the Engineering Division is concerned for the integrity of the sewer pipe when foundation loading exerts pressure on the surrounding soils, as well as the integrity of the foundation after repairing a pipe by excavating from above.

To mitigate these concerns on Lots 72 and 73, the permit applicants analyzed or further pursued the following options:

- 1. Relocate the sanitary sewer from the easement to the fronts of these lots and be within the existing rights-of-way on Heritage Drive. Its design would still have to accommodate the existing depths necessary for future extensions to the east. Its construction would have to maintain at all times the existing active service connection to 11904 Heritage Drive.
- 2. Design and construct a foundation which would extend more than 20 feet below the ground line and provide a footing beneath the existing sanitary sewer.

Time, effort, and expense was incurred by the owner of Lot 72 in pursuing Option 1. Plans, permit documents, and permit fees were submitted to the Metropolitan Water Reclamation District of Greater Chicago (MWRD/GC), which has permitting jurisdiction over sewer construction in Cook County. After several reviews by MWRD and revisions by the applicant, the permit to relocate the sanitary sewer was approved, and the owner subsequently obtained bids for this work. The bids received by the owner ranged from approximately \$160,000 to more than \$400,000.

A preliminary design was then prepared for Option 2 on the home proposed in Lot 72. A grade beam and caisson (deep) foundation was designed by a structural engineer. The cost estimate was not provided, but would be known to add significant cost and complexity to the construction of all three (3) homes to be proposed for Lots 72, 73, and 74.

To achieve the desired square footage of the homes on these lots, avoid impeding the operation of Village infrastructure, and to maintain the ability to expand this infrastructure with future development, all practical alternatives were evaluated and none was determined economical. Therefore, Village staff are proposing consideration of a variance to the front-yard setback for the homes on Lots 72, 73, and 74. This variance would provide a clearance of at least 10 feet from the existing sanitary sewer, which distance would be sufficient to avoid the concerns noted above. A notation should be recorded on the plats of these three properties that will require any future additions, etc., to maintain this clearance for perpetuity.

Please contact Village Engineer David Preissig, P.E. if you have any questions regarding the above at (630) 323-4733, extension 6000.



BR

Findings of Fact

Variation from the Village of Burr Ridge Zoning Ordinance

Section XIII.H.3 of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission/Zoning Board of Appeals determine compliance with the following findings. In order for a variation 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. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out

EXISTING SEIDER LINE IS LOCATED IN REAR YARD (APROX. 18'- 20' BELOW GRADE) CLOSER TO ALLONGO BUILDABLE AREA OF PROPERTY.

b. The property in question cannot 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.

CLOSE PROXIMITY OF THE SEWER LINE TO BUILDABLE AREA MAKES FUTURE MAINTENANCE OF SEWER LINE DIFICULT,

c. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.

THE SEWER EASEMENT IN REAR YARD IS UNIQUE TO LOT # 72,73, AND 74 OF THIS SUBDIVISION -

d. The purpose of the variation is not based primarily upon a desire to increase financial gain.

NOT DEQUESTED BASED ON FINANCIAL GAIN -

e. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.

THE CONDITIONS DEE PART OF THE EXISTING EASEMENT AND SEWER LINE, NOT CREATED BY LOT GIONERS OF LOT \$72,73, AND 74.

f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

THESE YARIATIONS ONLY AFFECT LOT \$ 72,73, &,
74, NO IMPACT TO PROPERTIES OR PERSONS
IN THIS NEIGHBORHOOD -

g. The granting of the variation will not alter the essential character of the neighborhood or locality.

THE VARIANCE WILL NOT AFFECT THE CHARACTER OF THE LOCALITY OR NEIGHBORHOOD.

h. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion of the public streets, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

NOT IMPAIR ANY ISSUES MENTIONED IN ABOVE PARAGRAPH.

i. The proposed variation is consistent with the official Comprehensive Plan of the Village of Burr Ridge and other development codes of the Village.

THE PROPOSED YARIATION IS CONSISTANT WITH EXISTING CODES OF YILLAGE OF BURR RIDGE.

(Please transcribe or attach additional pages as necessary.)



Rick J. Erickson Mark J. T. Erickson Attorneys At Law

716 Lee Street
Des Plaines, Illinois 60016
(847)390-0100
Fax (847)390-1149
attorney@ericksonltd.com

Cindi Salamone Diane Boyle Legal Assistant

December 20, 2018

VIA FIRST CLASS MAIL AND EMAIL ewalter@burr-ridge.gov

Village of Burr Ridge c/o Mr. Evan Walter Assistant to the Village Administrator 7660 S. County Line Road Burr Ridge, IL 60527

> Re: Notice of Hearing / Samadhi Karwaratne Highland Fields Homeowners Association

Dear Mr. Walter:

The undersigned represents Highland Fields Homeowners Association. The attached notice has been brought to my attention. It is imperative to note to all members of the Plan Commission/Zoning Board of Appeals, the request is in violation of the Covenants, Conditions and Design Restrictions for the Highland Fields Subdivision Recorded on September 27, 2000 as Document No. 00752902.

On behalf of the Homeowners Association, all plans for Design Review by the owner(s) of Lots 72, 73 and 74 will be rejected if any variance is granted. The requirements of the Association are "in addition to the requirements of applicable laws, codes, ordinances and regulations of any governmental body or agency (Section 2.1 of the Covenants).

The Covenants were also incorporated into the Annexation Agreement, as amended, executed by the Village of Burr Ridge.

It is apparent the Petitioner has completely failed to incorporate in his petition relevant and important information.

Please acknowledge receipt of this letter and copy all members of the governing committees.

Thank you.

truly yours.

Rick J. Erickson

RJE:dkb Enclosure

cc: Board of Directors of Highland Fields Homeowners Association Scott Walczak – American Property Management

4314/0028 86 002 Page 1 of 2000-09-27 13:42:02 Cook County Recorder

COVENANTS. CONDITIONS, AND **DESIGN** RESTRICTIONS FOR THE HIGHLAND FIELDS EUGENE "GENE" MOORE SUBDIVISION

COOK COUNTY RECORDER BRIDGEVIEW OFFICE

For recorder's use only

THIS Design Manual for the Highland Fields Subdivision ("Design Manual") is made by Highland Fields, L.L.C., an Illinois Limited Liability Company ("Developer"), and Johnston Properties, LLC, an Illinois Limited Liability Company, and William H. Johnston, Jr., as owners of Parcels 1, 2 & 3, and Highland Fields, L.L.C., an Illinois Limited Liability Company, as owner of Parcel 4 (collectively "Owners"), state as follows:

RECITALS

WHEREAS, Owners hold fee simple title to certain which real estate which is legally described in Exhibit A attached hereto ("Real Estate"), and desire that this Real Estate shall be the subject of a common scheme development called "Highland Fields" (the "Development") to promote desirable and opulent residences within the Development of the highest quality, and in furtherance thereof, have recorded with the Cook County Recorder's Office along with this Design Manual a Declaration of Conditions, Covenants, and Restrictions for the Highland Fields Subdivision as document number 00429355("Declaration").

WHEREAS, Developer shall, from time to time, divide and sell certain portions of the Real Estate to persons or entities (collectively "Lot Owners") for the purpose of eventually constructing single family residences thereon.

WHEREAS, by recording this Design Manual, the Lot Owners must conform with this Design Manual, and in conjunction therewith, the standards and provisions of this Design Manual shall be enforced by the Owners, the Lot Owners individually, or the Highland Fields Homeowners Association ("Association") pursuant to the Declaration.

> PREPARED BY AND UPON RECORDING MAIL TO:

Larry N. Woodard SOSIN AND LAWLER, LTD. 11800 South 75th Avenue

Suite 300

Palos Heights, Illinois 6046

NOW, THEREFORE, the Owners declare as follows:

- 1. <u>Incorporation of Recitals:</u> All Recitals in this Design Manual are incorporated in and made apart hereof.
- 2. <u>Property Subject to Design Manual:</u> Owners, as owners of fee simple title to the Real Estate, expressly intend, and by recording this instrument, do hereby subject the Real Estate to the standards, provisions, and restrictions of this Design Manual, as amended from time to time by the Developer or the Association pursuant to this instrument or the Declaration.
- 3. <u>Conveyances Subject to Design Manual</u>: This Design Manual constitutes a covenant, condition, or restriction of the Real Estate, running with the land, and shall at all times inure to the benefit of and be binding on any Lot Owner or any person or entity having at any time any interest or estate in any part of the Real Estate.
- 4. <u>Incorporation into Conveyance Documents:</u> Any deed, lease, conveyance, or contract made in conjunction with any portion of or interest in any portion of the Real Estate shall be deemed to incorporate and shall take subject to this Design Manual. All successors in interest, heirs, executors, administrators, or assigns, of any Lot Owner or any person or entity that takes any portion of or interest in the Real Estate will also be deemed to be subject to this Design Manual.
- 5. Enforcement of this Design Manual: When any deed, lease, conveyance, or contract is made in violation of this Design Manual or when any Lot Owner or any person or entity who takes any portion of or any interest in the Real Estate violates the provisions, standards, and conditions of this Design Manual, the Developer, Association or any Lot Owner may enforce the provisions, standards, and conditions in this Design Manual pursuant to the remedies as set forth in the Declaration.
- 6. <u>Duration</u>: Except as otherwise specifically provided in the Declaration, the covenants, conditions, and restrictions which are created, reserved or declared by this Design Manual shall be appurtenant to and shall run with and bind the land for a period as long as the Declaration runs with and binds the land. This Design Manual shall only be revoked, changed, or amended in whole or in part by a recorded instrument executed by the Lot Owners of not less than-three-fourths (3/4) of the Lots, as defined in and pursuant to the Declaration, or by the Developer, upon recording an instrument amending or withdrawing the Design Manual.

Non-Order Search Doc: 00752902

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Requested By: loison, Printed: 5/25/2016 11:36 AM

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DD7529D2 Fage 3 of 34

DATED: August 1, 2000

DEVELOPER:

Highland Fields, LLC, an Illinois Limited Liability Company:

By: Mary By:

(SEAL)

OWNERS:

Johnston Properties, LLC, an Illinois Limited Liability Company:

By. St.

William H. Johnston, Jr., (Owners as to Parcels 1, 2 & 3)

Highland Fields, L.L.C., an Illinois Limited Liability Company (Owner as to Parcel 4):

By: Klowerger-Ranfu

(SEAL)

STATE OF ILLINOIS)
COUNTY OF COOK) SS.
I, Mourain Ranginst , a Notary Public in and for said County, in the State aforesaid, do hereby certify that Robert Changinst and , being the Mour Changinst and Hobert Changinst , respectively, of said Highland Fields, LLC (the Developer, and as Owner with respect to Parcel 4), who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Robert Changinst , respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Developer and Owner as to Parcel 4, for the uses and purposes therein set forth.
GIVEN under my hand and Notarial seal, this 15t day of Jap t 2000.
GIVEN under my hand and Notarial seal, this
STATE OF ILLINOIS)
COUNTY OF COOK SS.
I, Michael A - Million, a Notary Public in and for said County, in the State aforesaid, do hereby certify that with Johnston Ir and, being theowner and, respectively, of said Johnston Properties, LLC (Owner with respect to Parcels 1,2 & 3), who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such with Tohnston Irand, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Owner as to Parcels 1,2 & 3, for the uses and purposes therein set forth.
GIVEN under my hand and Notarial seal, this / v day of 5ep4. 2000.
My Commission SPAL SFAL RICHARD A MCCUE NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES: 01/02/03

Non-Order Search Doc: 00752902 THE REPORT OF THE PARTY OF THE

00752902 _{Page 5 of 34}

STATE OF ILLINOIS)	
SS.	
COUNTY OF COOK)	
I, <u>Nichaed A. M. Cos</u> , a Notary Public in and for said County, in aforesaid, do hereby certify that William H. Johnston, Jr., being one of the Owners with re Parcels 1,2 & 3, is personally known to me to be the same person whose name is subscribe foregoing instrument as such Owner, appeared before me this day in person and acknowled he signed and delivered the said instrument as his own free and voluntary act for the purposes therein set forth.	espect to ed to the lged that
GIVEN under my hand and Notarial seal, this // day of 55pd.	2000.
CONVERTMENT CONTRACTOR STORY	THE STREET WAS ASSESSED.
OFFICIAL SEAL \ Notary Public	
My Commission Ediplies DA MCCUE	
S NOTARY PUBLIC, STATE OF ILLINOIS S	
ANAMAMATANA ANAMAMATA	

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00752902 page 4 of 34

DESIGN MANUAL

HIGHLAND FIELDS SUBDIVISION

Burr Ridge, Illinois

Presented By:

Robert C. Ranquist & Co.

Non-Order Search Doc: 00752902

Page 6 of 34

Requested By: Iolson, Printed: 5/25/2016 11:36 AM

SECTION 1: INTRODUCTION

1.1 Forward

The Highland Fields Design Manual (sometimes referred to herein as the "Manual") has been created to provide the members of Highland Fields, their architects, engineers, landscape architects, building contractors and landscape contractors with the information necessary to design and construct the fine homes which will comprise Highland Fields.

It is imperative that every party involved in the design and construction of a home in Highland Fields read this entire Manual and become thoroughly familiar with all the material contained herein.

The Highland Fields Design Review Committee will encourage and gladly participate in preliminary discussions to assist in clarifying the concepts, contents and requirements of the Manual.

1.2 The Site

Highland Fields is located within the Village of Burr Ridge, generally located at the Southeast and Northeast Corners of 87th Street at County Line Road.

Highland Fields features extremely rolling hills with dramatic wooded to lake views. The homesites of Highland Fields range in size from 20,000 to more than 48,000 square feet, with an average footage of 24,000 square feet (Phase I), 40,000 sq. ft. (Phase II), 43,000 sq. ft. (Phase III). The unique features and beauty of each homesite will be carefully considered in order to conserve and enhance the natural splendor of Highland Fields.

1.3 Master Plan

The concept of Highland Fields was to create a development of fine custom traditionally designed homesites while conserving and enhancing the environment of beauty on an extraordinary parcel of land. This has been achieved by the implementation of the following criteria:

- 1. Increased average Lot sizes, well above the minimum.
- 2 The incorporation of "conservancy" areas of new and existing trees and vegetation.
- 3. Increased setbacks within the wooded areas of the site.
- 4. Minimizing the actual cut and fills of soil on the site.
- 5. The creation of "island" tree areas at all cul-de-sacs.
- 6. Allowance for greater street and driveway grades.

Page 1 of 27

7. The establishment of a Design Review Committee to approve and oversee compliance with all home and landscaping design submittals.

This master plan has not only taken into account the sensitive and unique nature of the environment, but a market that appreciates a distinctive development focused on nature, privacy, and a relatively maintenance-free lifestyle.

1.4 Schedule of Fees

- 1.4.1 <u>Design Review Fee</u>: At the time of submission and review of the Site Base Sheet with the Design Review Committee, the Owner shall remit to Highland Fields the non-refundable amount of \$450.00 for building review, and \$250.00 for landscape review.
- 1.4.2 Owner's Performance Deposit: Upon approval of the completed construction documents, but in all events prior to the commencement of any excavation or construction activity, each Lot Owner shall be required to remit to the Highland Fields Homeowner's Association, an Illinois not-for-profit corporation (referred to herein as the "Association"), a deposit in the amount of \$2,500.00, in cash or bond (provided, however, that any bond should be in form and substance sufficient in all respects to the Design Review Committee in its sole discretion). Such funds shall be held on account without interest to ensure the Owner's compliance with all the building and landscaping requirements of this Manual and the Highland Fields Design Review Committee.

In the event that the Owner shall fail or refuse to comply with said requirements, funds may, in the sole discretion of the Design Review Committee, be used from the account as required to remedy the deficiency. The Owner shall be responsible to restore the account to its full amount within 15 days.

After successful final inspection by the Design Review Committee, the unused balance of such funds shall be returned to the Owner.

SECTION 2: GOVERNING REGULATIONS

2.1 Applicable Laws, Ordinances and Regulations

The Village of Burr Ridge has established Building and Zoning Ordinances which regulate the safety and quality of construction within the village. These regulations are fully in effect at Highland Fields. Copies of these ordinances are available at the Burr Ridge Village Hall. Further, State of Illinois, County of Cook, and other regulatory agencies have regulations which may affect the design and construction of a residence in Highland Fields. The requirements of the Highland Fields Design Manual and such other requirements as may be imposed by the Design Review Committee are in addition to the requirements of applicable laws, codes, ordinances, and regulations of any governmental body or agency.

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Page 2 of 27

It is the responsibility of each Owner and his architect, engineer and contractor to become thoroughly familiar with the applicable ordinances pertaining to construction of a residence within Highland Fields.

2.2 Highland Fields Design Manual

The Highland Fields Design Manual is intended to be a supplement to the existing local and state ordinances governing the development of Highland Fields. Further and more importantly, this Manual is intended to set forth the goals, guidelines and regulations which shall govern the development of the fine, distinctive homes of Highland Fields.

The Highland Fields Design Manual may contain restrictions which are more stringent than correlating village, county or state regulations. Such restrictions shall take precedence over the lesser village, county or state regulations. However, the Highland Fields Design Manual shall not be construed under any circumstances to permit the design or construction of any structure or portion thereof which is not in conformance with any or all applicable codes.

In the event that a discrepancy exists in the Manual, the Design Review Committee reserves the right to review any such discrepancy and interpret and resolve any conflicting provisions. The decision of the Design Review Committee shall be considered final and binding in all such matters,

All terms used within this manual shall have the meanings set forth in the Declaration for Highland Fields.

2.3 Design Review Committee

The Design Review Committee's purpose and goal is "to preserve the architectural and aesthetic appearance of the premises and the natural beauty of the land." Prior to the turnover of the management of Highland Fields to the Association, the Developer established the Design Review Committee and vested such Committee with the sole responsibility to review, revise, approve or disapprove of the submissions, plans, drawings and specifications of each and every proposed structure or development in Highland Fields. The decisions of the Design Review Committee shall be final and binding.

Each Design Review Committee member is committed to providing courteous, prompt, cooperative and equitable service to each architect, engineer, builder, landscaper, and Owner in Highland Fields.

SECTION 3: <u>SITE PLANNING</u>

3.1 Objective

The basic concept of Highland Fields provides that the natural beauty of each individual site

Page 3 of 27

be conserved and enhanced by the location of the dwelling to be built on it. Toward that end, it is the objective of the Design Review Committee to establish the following controlling guidelines and standards.

3.2 Setbacks

The following minimum building setback lines have been established for the development of Highland Fields.

Lots 1 - 59		<u>Lots 60 - 83</u>	
Front Yard	30,	Front Yard	50'
Rear Yard	50¹	Rear Yard	60'
Interior Side Yard	10 ^t	Interior Side Yard	15'
Comer Side Yard	30'	Comer Side Yard	40'

3.3 Conservancy Easement Areas

Conservancy Easement Areas have been established on each Lot in order to provide permanent landscaping buffers between dwellings and to conserve and enhance the natural beauty of Highland Fields.

Dwelling units and other permitted and approved structures such as swimming pools, tennis courts and mechanical equipment will not be permitted within any Conservancy Easement Areas.

Certain items such as driveways, sidewalls and buried utility lines, may pass through a Conservancy Easement Area subject to the approval of the Design Review Committee.

Refer to Section 6.3 for Conservancy Easement Area landscaping requirements and regulations.

3.4 Placement on Site

To maintain the natural atmosphere of Highland Fields, varied orientations of homes are encouraged when possible. Varied orientations, as opposed to home fronts being lined up squarely with each other, avoid a subdivision "cookie-cutter" look.

Approval of the location of a home on a Lot will be affected by the following factors:

Building and Conservancy Setback Lines
Existing Topographic Features
Existing Vegetation and Landscape Features
Existing Wetlands, Water and Drainage
Proposed Design Style of New Home
Location of Adjacent Homes
Utility Easements

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Building and Conservancy Setback Lines
Existing Topographic Features
Existing Vegetation and Landscape Features
Existing Wetlands, Water and Drainage
Proposed Design Style of New Home
Location of Adjacent Homes
Utility Easements

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PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 11957 Heritage Drive, Burr Ridge IL PIN #		
GENERAL INFORMATION PETITIONER: Nafe Group INC (All correspondence will be directed to the Petitioner) PETITIONER'S ADRESS 200 W Madison St #2100, Chicago, IL 60606 PHONE: 312-404-0486 EMAIL: info@nafegroup.com PROPERTY OWNER: Sameer Suhail STATUS OF PETITIONER: Employed OWNER'S ADDRESS: 401 N Wabash Unit 31A Chicago IL 60611 PHONE: 708-653-6167		
PROPERTY INFORMATION		
PROPERTY ACREAGE/SQ FOOTAGE: .71 Acres EXISTING ZONING: R- 2A		
EXISTING USE/IMPROVEMENTS: Empty Lot- No Existing Buildings		
SUBDIVISION: Highland Fields		
A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED		
DESCRIPTION OF REQUEST		
PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S): Special Use Rezoning Text Amendment Variation(s)		
See Attached		
Please Provide Written Description of Request - Attach Extra Pages If Necessary		
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.		
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held		



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:	11957 Heritage Drive, Burr Ridge IL
Property Owner or Petitioner;	Mohamed Nafe (Print Name) (Signaturo)



PETITION FOR PUBLIC HEARING
PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 11933 HERITAGE DRIVE PIN #23-06-109-009-0000 LOT 73 BURK RIDGE IL 60527
GENERAL INFORMATION PETITIONER: SAMADHI KARUNARATHE
(All correspondence will be directed to the Petitioner) PETITIONER'S ADRESS 3221 S. WALLACE STREET CHICAGO IL 60616
PHONE: 312.493-2233
EMAIL: samadhiæskmbdesign.com
PROPERTY OWNER: TONY SANDOVAL STATUS OF PETITIONER: BUILDER2 -
OWNER'S ADDRESS: 1218 5 59th AVE CICERO IL 60804 PHONE: (708) 935 8970
PROPERTY INFORMATION
PROPERTY ACREAGE/SQ FOOTAGE: 30,050 SF EXISTING ZONING: Z-ZA
EXISTING USE/IMPROVEMENTS: EMPTY LOT - NO EXISTING BUILDINGS.
SUBDIVISION: HIGHLAND FIELDS
A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED
DESCRIPTION OF REQUEST
PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S): Special Use Rezoning Text Amendment Variation(s)
- SEE ATTACHED-
Please Provide Written Description of Request - Attach Extra Pages If Necessary
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition. Petitioner's Gignature Date Petition is Filed



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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Street Address of Subject Property:

LOT 73

HIGHLAND FIELDS

Property Owner or Petitioner:

11933 HERITAGE DRIVE

BURR RIDGE IL

SAMADHI KARUHABATHE
(Print Name)

(Signaturo)

OWNER'S REPRESENTATIVE



PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 11905 HERITAGE DRIVE PIN # BURE BIDGE IL 60527
GENERAL INFORMATION PETITIONER: SAMADHI KARUHARATNE (All correspondence will be directed to the Petitioner) PETITIONER'S ADRESS 3221 S WALLACE ST CHICAGO IL 60616 PHONE: 312.493.2233 EMAIL: SAMADHIESEMBARSIGN.COM PROPERTY OWNER: SIMON BRADLEY STATUS OF PETITIONER: REPRESENTATIVE.
OWNER'S ADDRESS: PHONE: (630) 321-8200
PROPERTY INFORMATION PROPERTY ACREAGE/SQ FOOTAGE: 30,050 (+1-) EXISTING ZONING: Z-ZA EXISTING USE/IMPROVEMENTS: EMDTY LOT - NO EXISTING BUILDING SUBDIVISION: HIGHLAND FIELDS A CURRENT PLAT OF SURVEY WITH LEGAL DESCRIPTION MUST BE ATTACHED
DESCRIPTION OF REQUEST PLEASE INDICATE THE TYPE OF PUBLIC HEARING REQUESTED AND PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED SPECIAL USE, REZONING, TEXT AMENDMENT, OR VARIATION(S) INCLUDING A REFERENCE TO THE APPROPRIATE ORDINANCE SECTION(S) AND REGULATION(S): Special Use Rezoning Text Amendment Variation(s)
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition. Simon Bradley Petitioner's Signature Date Petition is Filed Date Petition is Filed



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

The owner of the property referenced below, or an authorized representative of the owner, which is the subject of a public hearing before the Village of Burr Ridge Plan Commission or Zoning Board of Appeals, hereby consents to allow the Village of Burr Ridge to install a public notice sign on the aforesaid property. The public notice sign will be erected 15 to 30 days prior to the public hearing and will remain on the property until it is removed by the Village of Burr Ridge subsequent to a final dispensation of petition request.

Street Address of Subject Property:

Property Owner or Petitioner:

SAMADHI KABUNARATHE

(Signature)

OWNER'S REPRESENTATIVE.



Almero Properties Llc 16W115 83Rd St Burr Ridge, IL 605270000 PIN 09354030200000

Krasick Trusts 747 Cambridge Dr Burr Ridge, IL 605210000 PIN 09363100030000

Tuthill Corp 8500 S Madison St Burr Ridge, IL 605210000 PIN 09354030320000

Weeks, Kevin & Marla 511 W 56Th St Hinsdale, IL 605210000 PIN 09363000060000

L C & F Enterpries Inc 20 Willow Bay Dr S Barrington, IL 605270000 PIN 09352040190000

Natale, Frederick 2342 W Hazelhurst Dr Anthem, AZ 605270000 PIN 09363100060000

Bakka, Richard S 743 Camelot Dr Burr Ridge, IL 605270000 PIN 09363100150000

Rohner, Randall W & A 15W736 83Rd St Burr Ridge, IL 605210000 PIN 09361030100000

Bril Trust

Mt Prospect, IL 605210000 PIN 09354030250000

Tan, Timothy 766 Camelot Dr Burr Ridge, IL 605210000 PIN 09363100050000 Sreniawski Family Trust 15W735 83Rd St Willowbrook, IL 605270000 PIN 09363000040000

Payovich, Ms

Oak Brook, IL 605210000 PIN 09352050410000

De Clouette, D & D Perry 744 Camelot Dr Burr Ridge, IL 605210000 PIN 09363100040000

Mcnaughton Develop Inc 11S220 S Jackson St Burr Ridge, IL 605210000 PIN 09363000240000

Fghrealco 16W070 West 83Rd St Burr Ridge, IL 605210000 PIN 09352050420000

Community Support Service 16W127 83Rd St Burr Ridge, IL 605270000 PIN 09354030170000

Ctltc B7900554824 10 S Lasalle St Chicago, IL 605210000 PIN 09354030180000

Ctltc Bv11880 10 S Lasalle St Chicago, IL 605210000 PIN 09352050140000

Molfese, Ronald & Shelley 8301 S Madison St Burr Ridge, IL 605270000 PIN 09363000010000

Mb Financial Bank 6111 N River Rd Rosemont, IL 605270000 PIN 09354030210000 Semegen, Andriy & Alisa 15W719 83Rd St Burr Ridge, IL 605210000 PIN 09363000050000

Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040200000

Cmi Group Llc 1 Ridge Farm Rd Burr Ridge, IL 605210000 PIN 09352040240000

Mb Financial Bank 6111 N River Rd Rosemont, IL 605270000 PIN 09354030220000

Martinez, Manuel 688 Camelot Dr Burr Ridge, IL 605210000 PIN 09363000180000

Kuczaj, John & Dorothy 401 N Rose Ave Park Ridge, IL 605210000 PIN 09361030240000

Almero Properties Llc 16W115 83Rd St Burr Ridge, IL 605270000 PIN 09354030190000

Kluber, Thomas 780 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000100000

The Northern Trust Co 50 S La Salle St Chicago, IL 605270000 PIN 09363100020000

Forsner, L & N Montelbano 8437 Charleston Dr Burr Ridge, IL 605210000 PIN 09363000170000 Polich Jr, Frank J & L 15W751 83Rd St Hinsdale, IL 605270000 PIN 09363000030000

Lutz, Mark C 7624 Drew Ave Burr Ridge, IL 605210000 PIN 09361030110000

Galinski, Adolph 8413 Charleston Dr Burr Ridge, IL 605270000 PIN 09363000150000

Grozich, Phyllis M Tr 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050210000

83Rd Burr Ridge Partners

Westmont, IL 605210000 PIN 09352050340000

Piech, Ryan M 8460 Kimberly Ct Burr Ridge, IL 605270000 PIN 09363100080000

Grozich, Phyllis M 16W184 89Th St Burr Ridge, IL 605270000 PIN 09352050100000

Nowak, Ronald & Susan 15W703 82Nd St Hinsdale, IL 605210000 PIN 09361030040000

Fghrealco 16W070 West 83Rd St Burr Ridge, IL 0 PIN 09352050110000

Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 605210000 PIN 09352050330000 Segal, Jeffrey T 15W739 82Nd St Burr Ridge, IL 605210000 PIN 09361030020000

Morgan, Venessa & Damian 15W752 83Rd St Burr Ridge, IL 605270000 PIN 09361030230000

Holton, Eric & Jennifer 15W721 82Nd St Hinsdale, IL 605210000 PIN 09361030030000

Village Of Burr Ridge 7660 S County Line Rd Burr Ridge, IL 605210000 PIN 09352050120000

Ilea, Monica 15W675 82Nd St Burr Ridge, IL 605277907 PIN 09361030050000

Payawal Tr, Roy 777 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363100010000

Morgan, Venessa & Damian 15W752 83Rd St Burr Ridge, IL 605270000 PIN 09361030220000

Mcnaughton Develop Inc 11S220 Jackson St Burr Ridge, IL 605210000 PIN 09363000260000

Zbp 4 S Washington Cir Hinsdale, IL 605210000 PIN 09352050080000

Kruse, Joseph & Joanna 8448 Kimberly Ct Burr Ridge, IL 605270000 PIN 09363100070000 Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 605210000 PIN 09352050290000

Madison Street Part Llc 14497 John Humphrey Orland Park, IL 605276215 PIN 09354030310000

Mcnaughton Develop Inc 11S220 Jackson St Burr Ridge, IL 605210000 PIN 09363000250000

Fitzgerald, Thomas & L 8401 Charleston Dr Burr Ridge, IL 605270000 PIN 09363000140000

Ritchey, Richard & L 15W770 82Nd St Burr Ridge, IL 605210000 PIN 09361020060000

Hughes Investment Propert 16W153 83Rd St Burr Ridge, IL 605270000 PIN 09354030290000

Hemsworth, Willard & Mary 750 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000120000

Uhlir, Vaclav & Jana 9S271 Madison St Hinsdale, IL 605210000 PIN 09361020050000

Roman, Joan M 8303 Madison St Burr Ridge, IL 605210000 PIN 09363000020000

Sparrowhawk Chicago Ind 377 E Butterfield Rd Lombard, IL 605210000 PIN 09352050360000 Staffel, Eugene & Rita 15W706 83Rd St Burr Ridge, IL 605210000 PIN 09361030130000 Michaels, Paul & Rebecca 8472 Kimberly Ct Burr Ridge, IL 605210000 PIN 09363100090000

Ruminski, Stanley & P 760 Cambridge Dr Burr Ridge, IL 605210000 PIN 09363000110000

Sloane, Jennye I 740 Cambridge Dr Burr Ridge, IL 605270000 PIN 09363000130000

Mcnaughton Develop Inc 11S220 Jackson St Burr Ridge, IL 605210000 PIN 09363000270000

Ziffra, Allen & Patricia 15W706 83Rd St Burr Ridge, IL 605210000 PIN 09361030120000

Ccc Burr Ridge Llc 3100 Dundee Rd Northbrook, IL 0 PIN 09352050300000

Ondra, Karel & Leticia C 15W740 82Nd St Burr Ridge, IL 605270000 PIN 09361020150000

Tuthill Corp 8500 S Madison St Burr Ridge, IL 605210000 PIN 09354030330000

Madison Street Part Llc 14497 John Humphrey Orland Park, IL 605276215 PIN 09354030300000

Munoz, Francisco & L 8425 Charleston Dr Burr Ridge, IL 605210000 PIN 09363000160000



MEMORANDUM

TO: Village of Burr Ridge Plan Commission

Greg Trzupek, Chairman

FROM: Evan Walter

Assistant to the Village Administrator

DATE: December 18, 2018

RE: Board Report for January 7, 2019 Plan Commission Meeting

At its December 10, 2018 meeting the following actions were taken by the Board of Trustees relative to matters forwarded from the Plan Commission.

V-03-2018: 8200 Steepleside Drive (Bart); This petition was withdrawn before the meeting; no action was taken.

V-05-2018: 15W069 & 15W081 91st Street (Cattaneo); The Board of Trustees affirmed its previous decision to approve a variation for a detached accessory structure taller than 15' in mean height and larger than 2,500 square feet in area after a Trustee recommended that it be reconsidered.



S-01-2019: 7000 County Line Road (MB Financial Bank); Requests an amendment to a previous variation to change the copy on three previously permitted ground signs on the lot of record at 7000-7020 County Line Road.

HEARING:

January 7, 2019

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Evan Walter Asst. to the Village Administrator

PETITIONER:

Stephen Kerr o/b/o MB Financial Bank

PETITIONER STATUS:

Current Tenant

PROPERTY OWNER:

MB Financial Bank

EXISTING ZONING:

B-1 PUD

LAND USE PLAN:

Recommends Commercial Uses

EXISTING LAND USE:

Commercial Building

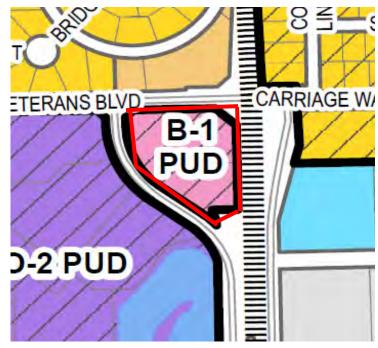
SITE AREA:

1.5 Acres

SUBDIVISION:

Oak Grove





Staff Report and Summary

S-01-2019: 7000 County Line Road (MB Financial Bank); Variation and Findings of Fact

Page 2 of 2

The petitioner is MB Financial Bank located at 7000 County Line Road. MB Financial Bank has been purchased by Fifth Third Bank and is in the process of re-branding locations throughout the region. The petitioner requests an amendment to a previous variation to change the copy on three existing ground signs located on a lot of record at 7000-7020 County Line, a subdivision known as Oak Grove. No additional signage is being added to the subject property; this variation is solely related to design elements of three specific and existing ground signs. As the existing signs were permitted by a variation that was made subject to the design of the existing signs, the petitioner requires a variation to change the copy on the existing monuments.

The building at 7000 County Line Road is part of the same lot of record as two other parcels with free-standing buildings: Cadence Preschool (7010 County Line Road) and Busey Bank (7020 County Line Road). These three parcels comprise the Oak Grove subdivision, which was built in 1993. Under the Sign Ordinance, each lot of record in the Village is permitted to have 100 square feet of signage. The amount of signage on this lot is unusual due to there being three principal, separately-owned buildings on separate parcels on one lot of record. There are four existing ground signs and a wall sign in Oak Grove totaling 428 total square feet in size. The existing signs include one ground sign for MB Financial Bank, two ground signs at Busey Bank (including a directory ground sign), and one existing ground sign at Cadence, which is proposed for re-use.

Five previous petitions have been considered related to signs in the Oak Grove subdivision at 7000-7020 County Line Road:

- 1. 1993; two variations were approved to permit multiple ground signs at 7020 County Line Road, increasing the total amount of signage to 278 square feet.
- 2. 1994; a variation was approved to permit an additional ground sign at 7000 County Line Road, increasing the total amount of signage to 351 square feet.
- 3. 1997; a variation was approved to replace an existing ground sign with a larger sign, increasing the total amount of signage to 384 square feet.
- 4. 2017; a variation was approved to permit an additional wall sign at 7020 County Line Road, increasing the total amount of signage to 428 square feet.
- 5. 2018; a variation was approved to permit an additional ground sign at 7010 County Line Road, increasing the total amount of signage to 460 square feet.

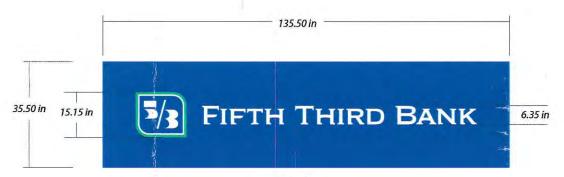
Findings of Fact and Recommendation

The petitioner has provided findings of fact which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval of the variations, they should be approved subject to the site plan submitted by the petitioner or as may otherwise be modified based on the staff comments below.

Appendix

Exhibit A – Petitioner's Materials

EXHIBIT A



Phase 2

2x - S/F panels required

TEMPORARY PANELS:

- ACM panel
- · Surface applied digital print on opaque

INSTALLATION:

- Phase 2: Remove existing sign panel
- Screw thru face into sign







Phase 2



5009 West River Drive | Comstock Park, MI 49321 | Ph 616.784.5711 | Fx 616.784.8280 | www.valleycitysign.com

CUSTOMER SIGNATURE:

DATE:

The designs, details and plans represented herein are the property of Valley City Sign; specifically developed for your personal use in connection with the project being planned for you by Valley City Sign. They are not to be shown to anyone outside of your organization, nor are they to be used, reproduced, exhibited or copied in any fashion whatsoever. All or any part of these designs (except registered trademarks) remain the property of Valley City Sign. Colors represented are being viewed by various web browsers, computer monitors and printers, therefore an exact representation of colors shown cannot be guaranteed via these methods. For true color matching, please request a material sample.

PROPERTY OF VALLEY CITY SIGN

LOCATION 420 / SIGN #1

DRAWING #168,740B

SCALE: 3/8" = 1'-0" TWO (2) S/F TEMPORARY PANELS REQUIRED

PROJECT: FIFTH THIRD / MB

PHOTOSCAN (S): No	DESIGNER: JB	
DATE: 11.16.18	REVISIONS: BAM, KB	
HOURS: 1.0+.25+.25	SALES: 86(MG)	

Branch ID: 420

Phase 1 (1/1/19 - 2/8/19):

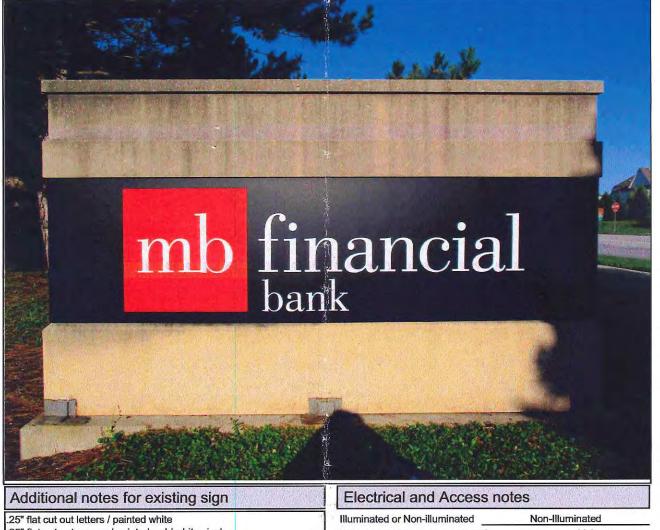
No Change

MB Financial Site Survey Results

Building: 7000 County Line Rd

Address: 7000 County Line Rd Burr Ridge North age 2 (2/15/19 - 2/17/19):

Temporary Reface



Existing Sign	age: Mo	nument Sign
35.5tall	135.5wide	1.125 deep
Square Footage 33	3.40	
Base/pole cover	tall wid	le deep
Total Overall Height	35.5	
Mounting A	krea 1.125 pan b	rake ends H-bracket
Mounting Met	hod H-bracket to	concrete monument
Existing Extrus	sion	
Existing Supports Exter	rnal	
Single or Double F	ace	D/F
Face Mate	erial	Metal
Face T	уре	Flat
Graphic Mate	erialV	inyl / Paint
Copy He	ight	14.25
	- 0A/-11 T	
Existing Fasc Material:	condition:	e: Fascia Color
Concrete	Good	Tan



.25" flat cut out square / painted red / white vinyl mb Logo = 30"h x 30"w "f" in financial = 14.25"h and "k" in bank = 7.875"h Mounting by tapcon or sleeve anchors No ladders or crane, ground work

Power supply internal or remote? Voltage



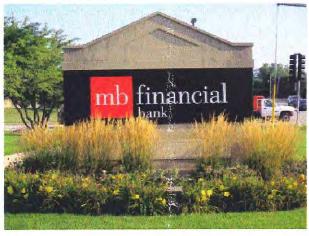
Phase 2 2x - S/F panels required

TEMPORARY PANELS:

- ACM panel
- Surface applied digital print on opaque white

INSTALLATION:

- · Phase 2: Remove existing sign panel
- Screw thru face into sign







Phase 2



5009 West River Drive

Comstock Park, MI 49321 | Ph 616.784.5711 | Fx 616.784.8280 | www.valleycitysign.com

CUSTOMER SIGNATURE:

The designs, details and plans represented herein are the property of Valley City Sign; specifically developed for your personal use in connection with the project being planned for you by Valley City Sign. They are not to be shown to anyone outside of your organization, nor are they to be used, reproduced, exhibited or copied in any fashion whatsoever. All or any part of these designs (except registered trademarks) remain the property of Valley City Sign. Colors represented are being viewed by various web browsers, computer monitors and printers, therefore an exact representation of colors shown cannot be guaranteed via these methods. For true color matching, please request a material sample.

PROPERTY OF VALLEY CITY SIGN

LOCATION 420 / SIGN #02

DRAWING #168,737B

SCALE: 3/8" = 1'-0" TWO (2) S/F TEMPORARY PANELS REQUIRED

PROJECT: FIFTH THIRD / MB

PHOTOSCAN (S): No	DESIGNER: JB	
DATE: 11.16.18	REVISIONS: BAM, KB	
HOURS: 1.0+.25+.25	SALES: 86(MG)	

Branch ID: 420

Phase 1 (1/1/19 - 2/8/19):

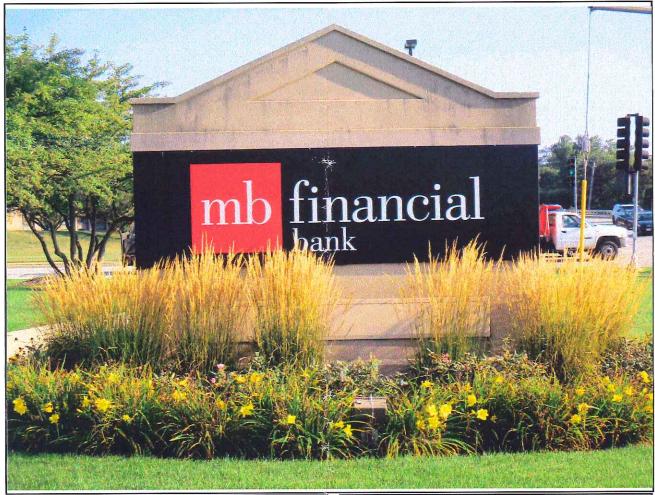
No Change

MB Financial Site Survey Results

Building: 7000 County Line Rd

Address: 7000 County Line Rd Burr Ridge North 2 2 (2/15/19 - 2/17/19):

Temporary Reface



Existing Signa	ge:	Monument Sign	
39tall	<u>136</u> wi	de <u>1.12</u>	5_deep
Square Footage 36.8	3		
Base/pole cover	tall	wide	deep
Total Overall Height	84		
Mounting Are	a 1.125	pan brake ei	nds H-bracket
Mounting Metho	od H-brad	ket to concre	ete monument
Existing Extrusion	n		
Existing Supports Externa	al		
Single or Double Fac	:е	D/F	
Face Materi	al	Meta	
Face Typ	oe	Flat	
Graphic Materi	al	Vinyl / P	aint
Copy Heigh	ht	14.25	5
Existing Fascia	-/Wall	Type:	
Material:	Condition:		Fascia Color
Concrete	Good		Tan

Additional notes for existing sign

.25" flat cut out letters / painted white .25" flat cut out square / painted red / white vinyl mb Logo = 30"h x 30"w x .25"d "f" in financial = 14.25"h and "k" in bank = 7.875"h Mounting by tapcon or sleeve anchors 6' step ladders needed

Electrical and Access notes

Illuminated or Non-illuminated Non-Illuminated Power supply internal or remote? Voltage





69.00 in FIFTH THIRD BANK 10.00 in 6.74 in

Phase 2

2x - S/F panels required

TEMPORARY PANELS:

- ACM panel
- Surface applied digital print on opaque white

INSTALLATION:

- · Phase 2: Remove existing sign panel
- Screw thru face into sign





Existing

Phase 2



5009 West River Drive | Comstock Park, MI 49321 | Ph 616.784.5711 | Fx 616.784.8280 | www.valleycitysign.com

CUSTOMER SIGNATURE:

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PROPERTY OF VALLEY CITY SIGN

LOCATION 420 / SIGN #08

DRAWING #168,741B

SCALE: 1" = 1'-0"

TWO (2) S/F TEMPORARY PANELS REQUIRED

PROJECT:	FIFTH	THIRD	/MI

PHOTOSCAN (S): No	DESIGNER: JB	
DATE: 11.16.18	REVISIONS: BAM, KB	
HOURS: 1.0+.25+.25	SALES: 86(MG)	

Branch ID: 420

Building: 7000 County Line Rd

Phase 1 (1/1/19 - 2/8/19):

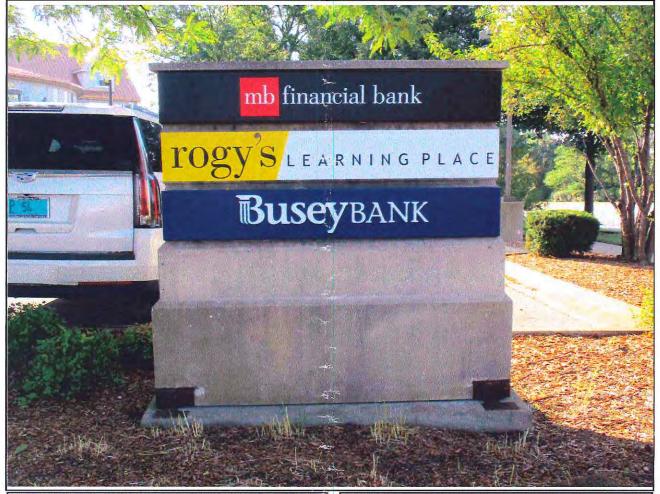
No Change

Site Survey Results

Address: 7000 County Line Rd Burr Ridge North age 2 (2/15/19 - 2/17/19):

Temporary Reface

MB Financial



Existing Signage:	Monument Sign
10tall69	wide1.125deep
Square Footage 4.79	
Base/pole covertall	wide deep
Total Overall Height	72
Mounting Area	Concrete
Mounting Method H	I-bracket, sleeve anchor, tapo
Woulding Welliou_1	i-bracket, sieeve artenor, tape
Existing Extrusion	i-bracket, sieeve arterior, tape
Existing Extrusion	Puracket, Sieeve and for, tape
Existing Extrusion	
Existing Extrusion Existing Supports External	D/F
Existing Extrusion Existing Supports External Single or Double Face	D/F
Existing Extrusion Existing Supports External Single or Double Face Face Material	D/F Metal Flat



Additional notes for existing sign

mb Logo box = 7.625"h x 7.625"w "financial bank" = 3.625"h .25" flat cut out letters and square Ground work - no trucks Dimensions are for MB panel on concrete monument

Electrical and Access notes

Illuminated or Non-illuminated Non-Illuminated Power supply internal or remote? Voltage





PETITION FOR PUBLIC HEARING
PLAN COMMISSION/ZONING BOARD OF APPEALS

ADDRESS OF PROPERTY: 7000 County Line Rd	PIN # 09 - 24 - 404 - 004
GENERAL INFORMATIONER: Stephen Kerr, Valley City Sign	
(All correspondence will be direct	ted to the Petitioner)
PETITIONER'S ADRESS 5009 West River Dr Comstock Pa	ark, MI 49321
PHONE: (616) 785-5713	
EMAIL: skerr@valleycitysign.com	
PROPERTY OWNER, MB Financial Bank STATUS OF	F PETITIONER: Sign Contractor
OWNER'S ADDRESS: 6111 N River Rd Rosemont, IL 6001	
PROPERTY INFOR	RMATION
PROPERTY ACREAGE/SQ FOOTAGE: 1.59 acres	_EXISTING ZONING: B-1 PUD
EXISTING USE/IMPROVEMENTS: Banking/Financial	
EXISTING OBEY THE ROVEMENTS.	OV.
	ON:
A CURRENT PLAT OF SURVEY WITH LEGAL DE	ESCRIPTION MUST BE ATTACHED
DESCRIPTION OF	RECITEST
PLEASE INDICATE THE TYPE OF PUBLIC HEARING RIDESCRIPTION OF THE PROPOSED SPECIAL USE, REZONIN INCLUDING A REFERENCE TO THE APPROPRIATE ORDIN	EQUESTED AND PROVIDE A DETAILED IG, TEXT AMENDMENT, OR VARIATION(S) NANCE SECTION(S) AND REGULATION(S): ext Amendment Variation(s)
Please Provide Written Description of Request	- Attach Extra Pages If Necessary
The above information and the attached Plat of Survof my knowledge. I understand the information con in preparation of a legal notice for public hearing responsible for any costs made necessary by an erro	stained in this petition will be used g. I acknowledge that I will be held
ALK-	12/20/2018
Petitioner's Signature	Date Petition is Filed

BR

FINDINGS OF FACT

FOR A VARIATION PURSUNT TO THE VILLAGE OF BURR RIDGE SIGN ORDINANCE

The Plan Commission's recommendation to approve or deny a Sign Variation request is determined by the following standards (as per section 55.39 of the Burr Ridge Sign Ordinance). The applicant must provide a response to each of the following findings by indicating the facts supporting such findings.
a) The variation is in harmony with the general purpose and intent of the Sign Ordinance.
Changing copy only. Existing dimesions to remain.
b) The plight of the petitioner is due to unique circumstances.
c) The variation is necessitated by practical difficulties or particular hardships created by the requirements of the Sign Ordinance;
d) The variation will not alter the essential character of the locality