



**REGULAR MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
AUGUST 2, 2021 - 7:00PM  
VILLAGE HALL - BOARD ROOM**

The Plan Commission/Zoning Board of Appeals hears requests for zoning text amendments, rezoning, special uses, and variations and forwards recommendations to the Board of Trustees. The Commission also reviews all proposals to subdivide property and is charged with Village planning, including the updating of the Comprehensive Plan for Land Use. All Plan Commission actions are advisory and are submitted to the Board of Trustees for final action.

**I. ROLL CALL**

**II. APPROVAL OF JULY 19, 2021 MEETING MINUTES**

**III. PUBLIC HEARINGS**

**A. V-04-2021: 6100 Grant Street (Toland); Variation and Findings of Fact**

Requests a variation from Section VI.F.4 of the Zoning Ordinance to permit a single-family residence to be built with a Floor Area Ratio in excess of 20%.

**B. Z-11-2021: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendments and Findings of Fact**

Requests text amendments to Section IV.W of the Zoning Ordinance related to noise standards.

**IV. CORRESPONDENCE**

**V. OTHER CONSIDERATIONS**

**VI. PUBLIC COMMENT**

## **VII. FUTURE MEETINGS**

### **August 9, 2021 Board of Trustees**

Commissioner Farrell is the scheduled Plan Commission representative.

### **August 16, 2021 Plan Commission**

#### **A. Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway (Village of Burr Ridge); Planned Unit Development and Findings of Fact; continued from July 19, 2021**

Requests establishment of a Planned Unit Development as per Section VIII.B.2.cc of the Zoning Ordinance for the purpose of creating parking and land use regulations at the subject property.

### **August 23, 2021 Board of Trustees**

Commissioner Stratis is the scheduled Plan Commission representative.

### **September 6, 2021 Plan Commission**

This meeting of the Plan Commission was never scheduled due to the Labor Day holiday.

## **VIII. ADJOURNMENT**

**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**VILLAGE OF BURR RIDGE**  
**MINUTES FOR REGULAR MEETING OF JULY 19, 2021**

**I. ROLL CALL**

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

**ROLL CALL** was noted as follows:

**PRESENT:** 8 – Broline, Petrich, Irwin, Stratis, Farrell, Hoch, Parella, and Trzupek

**ABSENT:** 0 – None

Interim Village Administrator Evan Walter was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES**

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Stratis to approve the minutes of the June 21, 2021 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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

**III. PUBLIC HEARINGS**

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

**Z-09-2021: 720-730 Village Center Drive (Kostandinov); Special Uses, PUD Amendment, and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that the petitioner, Alexander Kostandinov, is seeking to open a restaurant called Pella, which would be located in the former LOFT and Banana Republic tenant spaces in Building 4 at the corner of Village Center Drive and LifeTime Drive. The petitioner requests an amendment to Ordinance #A-834-10-05 to amend the outdoor space use adjacent to Building 4 of the Village Center to add a patio with a permanent/retractable awning to accommodate outdoor dining, a special use as per Ordinance #A-834-10-05 for outdoor dining at a permitted restaurant use, and a special use as per Ordinance #A-834-10-05 to permit a restaurant with hours of operation exceeding midnight, all at the subject property. This petition was originally submitted as Z-04-2021 but was withdrawn to incorporate a request to remain open beyond the PUD's permitted hours of midnight.

The petitioner's proposed restaurant contains approximately 8,000 square feet of indoor space with two banquet rooms, a private dining room, a gelato shop, two bar areas (including one indoor/outdoor bar), and an indoor fountain. There is also 4,660 square feet of new outdoor patio area proposed on the east side of Building 4 between the building and street, including a permanent/retractable awning and additional outdoor bar. In total, there are over 450 seats shown in the petitioner's site plan, not counting any capacity that would be imputed in the two indoor banquet facilities. There is no current outdoor dining space in this area of the Village Center. A glass fence is shown surrounding the entire outdoor seating area. The proposed patio is shown as abutting just behind an existing Village Center entrance sign at the intersection of Burr Ridge Parkway and LifeTime Drive; the patio is estimated to be located generally abutting the sign's rear elevation. A minor re-grading is shown on the subject property as well, which would be considered as an alteration of the outdoor space of the property. An additional feature included in the petitioner's special use proposal is to include a permanent/retractable awning as shown in the petitioner's submittal. This awning would allow for year-round use of the space, with built in comforting and power. The petitioner revised their petition to reduce the size of the retractable awning to better align with the corner of the building and create a true outdoor dining area near the sidewalk. The petitioner is proposing façade alterations of their outdoor space, which include a minor addition of two columns with pots on each column. All of the façade amendments would be included in the general request to amend their outdoor space. The petitioner has submitted a petition to permit the entirety of the proposed restaurant to be open until 2am. At this time, no use in the Village Center has an allowable closing beyond 1am. No restaurant at the Village Center currently remains open past 11pm based upon their current business plans but may revise them to stay open until midnight without Village approval.

Chairman Trzupek asked for public comment.

Robert Harbour, 801 Village Center, said that he supported the concept of a restaurant but did not support a restaurant operating until 2am.

Ida Fakhouri, 801 Village Center, agreed with Mr. Harbour's comments regarding the hours of operation.

Ruthann McCarthy, 1000 Village Center, objected to the use as the patio would block sidewalks as well as the extended hours requiring additional security.

Mark Saltas, 801 Village Center, said that he objected to the use being open until 2am. Mr. Saltas asked about the lateness of the allowable hours of operation. Mr. Walter said that midnight was the latest a use could operate without a special use. Mr. Saltas asked what the standards for decision making are on these petitions. Mr. Walter explained the concept of findings of fact as well as the Plan Commission recommendation to the Board. Mr. Saltas asked if there was a maximum capacity to the building. Mr. Walter said that the fire and building codes had assigned a maximum capacity which far exceeded the capacity shown on the site plan.

Rich Panico, 8311 Fars Cove, said that he opposed a restaurant being open until 2am. Mr. Panico asked if the use was a bar. Mr. Walter said that the Village classified the use as a restaurant.

Mark Thoma, 7515 Drew, said that allowing uses to stay open until 2am was inadvisable. Mr. Thoma asked if the patio's structure would be used year-round. Alexander Kostandinov said that the patio was intended for use year-round.

Chairman Trzupek asked if the use was classified as a restaurant or banquet facility, as the site plan showed "banquet rooms". Mr. Walter said that staff classified the use as a restaurant in that its business plan clearly intended for the majority of its revenue to be individual dining parties with the opportunity to host smaller events, noting that the two banquet rooms were approximately 1,000 square feet in size. Chairman Trzupek agreed with this interpretation.

Mr. Harbour asked if parking studies had been completed related to the growth of restaurant space. Mr. Walter said that the Plan Commission had considered the issue of parking in a recent petition, and concluded that sufficient parking would be available to serve the additional restaurant space.

Commissioner Stratis noted that there appeared to be a gap in the fence of the outdoor dining area. Mr. Garza said that the outdoor dining area plans would be corrected to better show that no gap would be intended in the specified area. Commissioner Stratis asked if restaurants could close to accommodate a private party. Mr. Walter said that would be permitted. Commissioner Stratis said that he supported the restaurant and staff's recommendation for 1am indoor closure, except that he would want no decorative pots on the roof of the retractable structure from an aesthetic perspective.

Commissioner Farrell generally agreed with Commissioner Stratis' comments about zoning classification, closing hours, and the decorative pots. Commissioner Farrell asked for additional landscaping to be added around the new patio, which the Plan Commission supported.

Commissioner Petrich asked if the Board had many any directives to amend the hours of operation on the liquor or zoning regulations. Mr. Walter said that Board had made some comments detailing a lack of support for 2am closures. Commissioner Petrich asked for clarification regarding an outdoor dining plan showing the Hampton Social's outdoor dining area. Mr. Walter said that staff interpreted the plans to be illustrative for scale rather than inclusive in their business plan.

Commissioner Parella said that she supported earlier closing outdoors, including more landscaping along Burr Ridge Parkway, as well as removing the decorative pots from the elevations.

Commissioner Irwin said that he liked the concept, but supported the use closing earlier than 2am. Commissioner Irwin said that he had concerns about windows being blocked. Mr. Walter said that the second floor windows were generally façade windows, in that they were not used for light or views. Commissioner Irwin said that he had continued concerns about the size and bulk of the building being located adjacent to the intersection as well as in context of the existing buildings.

Commissioner Hoch said that the 1am indoor closure and 11pm outdoor closure was acceptable. Commissioner Hoch asked for the stone cladding on the exterior of the new patio's building to be changed to brick matching the existing building. Commissioner Hoch asked how many employees would be present at the use. Mr. Kostandinov said between 50-100 staff would be present; Mr. Walter said they would park variously throughout the property.

Chairman Trzupek asked if the patio space would be used year-round. Mr. Kostandinov said that the patio's retractable space would be used year-round.

Commissioner Irwin reiterated his concerns about the size of the structure proposed for the area, requesting that the retractable structure be reduced in size or architectural scope to allow for a smaller structure to be built.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to close the public hearing for Z-09-2021.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, Irwin, Hoch, Petrich, Farrell, Broline, and Trzupek  
**NAYS:** 0 – None

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to recommend the Board approve an amendment to Ordinance #A-834-10-05 to amend the outdoor space use adjacent to Building 4 of the Village Center to add a patio with a permanent/retractable awning to accommodate outdoor dining, subject to the following conditions:

1. The special use for a restaurant with outdoor seating shall be made to Alexander Kostandinov and his business partners of Pella Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plans including but not limited to the number of seats, location of the awnings, etc.
3. The hours of operation shall be 1am for indoor dining and bar areas and 11pm for outdoor dining and bar areas. Any area labeled as "indoor/outdoor" must cease service to the outdoor portion at 11pm. "Outdoor dining areas" shall be defined as the areas designated as "retractable open terrace dining area" and "open terrace area" on the petitioner's submitted site plan.
4. Sound originating from the restaurant shall be kept to a level so as not to be audible from residential units.
5. Tables shall be cleaned promptly following use.
6. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
7. Outdoor food preparation, storage, or display is prohibited.
8. Additional landscaping shall be added on the perimeter of the patio under a plan approved by staff.
9. No pots shall be permitted as decorative features on the roof of the retractable structure.
10. Brick masonry matching the existing Village Center buildings shall be added whenever possible as cladding on the retractable structure.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Stratis, Farrell, Hoch, Petrich, Broline, and Trzupek  
**NAYS:** 1 – Irwin

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to recommend the Board approve a special use as per Ordinance #A-834-10-05 for outdoor dining at a permitted restaurant use, subject to the following conditions:

1. The special use for a restaurant with outdoor seating shall be made to Alexander Kostandinov and his business partners of Pella Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plans including but not limited to the number of seats, location of the awnings, etc.
3. The hours of operation shall be 1am for indoor dining and bar areas and 11pm for outdoor dining and bar areas. Any area labeled as “indoor/outdoor” must cease service to the outdoor portion at 11pm. “Outdoor dining areas” shall be defined as the areas designated as “retractable open terrace dining area” and “open terrace area” on the petitioner’s submitted site plan.
4. Sound originating from the restaurant shall be kept to a level so as not to be audible from residential units.
5. Tables shall be cleaned promptly following use.
6. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
7. Outdoor food preparation, storage, or display is prohibited.
8. Additional landscaping shall be added on the perimeter of the patio under a plan approved by staff.
9. No pots shall be permitted as decorative features on the roof of the retractable structure.
10. Brick masonry matching the existing Village Center buildings shall be added whenever possible as cladding on the retractable structure.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Stratis, Farrell, Hoch, Petrich, Broline, and Trzupek

**NAYS:** 1 – Irwin

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

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Farrell to recommend the Board approve a special use as per Ordinance #A-834-10-05 to permit a restaurant with hours of operation exceeding midnight, subject to the following conditions:

1. The special use for a restaurant with outdoor seating shall be made to Alexander Kostandinov and his business partners of Pella Restaurant and shall not be transferable to any other party.
2. The special use shall substantially comply with the submitted site plans including but not limited to the number of seats, location of the awnings, etc.
3. The hours of operation shall be 1am for indoor dining and bar areas and 11pm for outdoor dining and bar areas. Any area labeled as “indoor/outdoor” must cease service to the outdoor portion at 11pm. “Outdoor dining areas” shall be defined as the areas designated as “retractable open terrace dining area” and “open terrace area” on the petitioner’s submitted site plan.

4. Sound originating from the restaurant shall be kept to a level so as not to be audible from residential units.
5. Tables shall be cleaned promptly following use.
6. Furniture and umbrellas shall be weighted to prevent their movement in the wind.
7. Outdoor food preparation, storage, or display is prohibited.
8. Additional landscaping shall be added on the perimeter of the patio under a plan approved by staff.
9. No pots shall be permitted as decorative features on the roof of the retractable structure.
10. Brick masonry matching the existing Village Center buildings shall be added whenever possible as cladding on the retractable structure.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Stratis, Farrell, Hoch, Irwin, Broline, and Trzupek

**NAYS:** 1 – Petrich

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

**Z-10-2021: 6547 County Line Road (Klein); Re-Zoning and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that the petitioner, Matthew Klein, is seeking to re-zone to R-2A Residential. Properties in the R-2A Residential District must have at least 40,000 square feet and 130 feet of lot width at the street frontage; the subject property complies with both requirements. The subject property currently contains one single-family home. The Comprehensive Plan recommends single family residential uses for these parcels and for the surrounding area on lot sizes “encouraged to be 30,000 square feet or larger.” The subject property is surrounded on the north, east, and south sides by properties zoned R-2A Residential of a similar size and development pattern.

Chairman Trzupek asked for public comment. None was given.

Commissioner Irwin asked if the property qualified for R-2 zoning. Mr. Walter said that the property qualified for such zoning, but that the area around was generally R-2A Residential. Commissioner Irwin said he favored R-2 Residential zoning.

The balance of the Plan Commission generally supported the request.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to close the public hearing for Z-10-2021.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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



A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Petrich to recommend the Board approve the re-zoning of 6547 County Line Road from R-1 Residential to R-2A Residential.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Stratis, Farrell, Hoch, Petrich, Broline, and Trzupek  
**NAYS:** 1 – Irwin

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

**Z-06-2021: 114 Burr Ridge Parkway (Salamone); Special Use and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. Mr. Walter said that the petitioner is Phil Salamone, owner and operator of Capri Express at 114 Burr Ridge Parkway. The petitioner is requesting an amendment to a special use (Ordinance #A-834-03-11) regarding outdoor dining at an existing restaurant. Capri Express was granted a special use for limited outdoor dining related to a specific site plan and layout and is seeking to upgrade their space with an awning of similar design to other restaurants at County Line Square. Capri Express' 2011 special use limited their outdoor seating to four tables and sixteen chairs; the petitioner has stated that this amount of seating would remain the same. The petitioner was not previously permitted to have table service or alcoholic beverages in their outdoor dining area; this would also not change.

Nancy D'Alessio said that she was present on behalf of the petitioner and confirmed the staff report's details.

Chairman Trzupek asked for public comment. None was given.

Commissioner Broline asked if the gate at La Cabanita adjacent to the outdoor dining area needed to be kept clear of any obstructions. Mr. Walter suggested a condition be added to the special use to mandate that the gate area be kept free of tables, chairs, etc.

Commissioner Petrich asked if the slope of the awning would match that of La Cabanita. Ms. D'Alessio confirmed that it would. Commissioner Petrich asked if the middle support column could have some marking, such as a planter, to ensure that the pole could be more visible.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Hoch to close the public hearing for Z-06-2021.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Petrich, Hoch, Broline, Stratis, Irwin, Farrell, and Trzupek  
**NAYS:** 0 – None

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

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Petrich to recommend the Board approve a special use for amended outdoor dining at 114 Burr Ridge Parkway, subject to the following conditions:

1. The general location of the outdoor seating area and of the proposed awning shall be as specified on the submitted plans attached hereto as **Exhibit A** including and limited to a maximum of four tables and 16 chairs.
2. At all times, the tables and chairs shall be kept at least 5 feet from the back of the curb to ensure an adequate pedestrian sidewalk.
3. The tables shall not exceed 36 inches in diameter.
4. There shall be no table service or service of alcoholic beverages for the sidewalk seating.
5. The operation of the outdoor seating areas shall not include any advertising, signs, or leaflets.
6. A trash container shall be provided adjacent to the building and said container shall include a self-closing lid.
7. Failure at any time to comply with these regulations shall deem this special use approval null and void.
8. The middle pole on the awning shall be marked by a clearly-visible identification, such as paint or planter.
9. The slope of the adjacent canopy at La Cabanita shall match that of the proposed awning.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Broline, Petrich, Stratis, Farrell, Hoch, Irwin, and Trzupek  
**NAYS:** 0 – None

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

**Z-07-2021: Zoning Ordinance Amendments (Panico); Text Amendments and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. The petitioner is Richard Panico, a resident seeking to construct a second detached garage on his property. The current detached garage is located in the rear yard of the subject property. While the petitioner is legally entitled to construct two detached garages on any residential property by right, the petitioner is seeking to develop the second detached garage in an interior side yard of the subject property, which is not currently permitted. Accessory detached buildings are only permitted in the rear yard of residential properties, with the rear yard being defined as the taper of the rear wall extended to the side yard lot line extended back to the rear lot line. Section IV of the Zoning Ordinance currently permits all residential properties to construct two detached accessory buildings, with some variation regarding the size of these properties. All detached accessory buildings must be at least 10 feet from the side and rear property lines as well as 10 feet away from either the principal or other accessory buildings on the subject property in which they are located. In the case of this petition, the petitioner is seeking to build an additional garage for vehicle storage, etc. but the Zoning Ordinance makes no distinction about how accessory detached buildings are used; all regulations govern all accessory detached buildings equally. The Village has considered two petitions regarding the location of

accessory detached buildings in side yards. Westmont, Downers Grove, and Willowbrook each permit garages to be generally located in any interior side or rear yard without significant restriction on building size. Oak Brook and Darien prohibit detached accessory buildings of any kind in side yards. Mr. Walter acknowledged that each of these communities are not exact comparables to that found in Burr Ridge.

Richard Panico, 8311 Fars Cove, said that the purpose of the petition was to allow him to build a second detached accessory building on his property in which to store classic cars. Mr. Panico said that the Village had provided him an opinion many years ago in which he was denied the opportunity to build an attached structure similar to the site plan attached. Mr. Panico said that the petition would allow him the opportunity for further enjoyment of his property without the detriment to others.

Chairman Trzupek asked for public comment. None was given.

The Plan Commission was generally unsupportive of the proposed text amendments.

Commissioner Stratis said that he has a similar type of home and had inquired about a similar type of development in the past and was similarly denied. Commissioner Stratis recused himself from voting on the petition.

Chairman Trzupek asked if there was any hardship which could be perceived on the subject property which may justify a variation. Mr. Panico said that no such hardship would be present.

A discussion was held about the nature of attached compared to detached accessory structures. Mr. Walter said that staff's current interpretation of the Zoning Ordinance would allow for garages attached to the home via a permanent structure, such as found in a porte cochere, would be permitted, and encouraged the petitioner to send staff a more detailed concept proposal to see if it could be administratively approved.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to close the public hearing for Z-07-2021.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Hoch, Irwin, Broline, Stratis, Petrich, Farrell, and Trzupek  
**NAYS:** 0 – None

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

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Hoch to recommend the Board deny the request for text amendment to permit a detached accessory structure in a side yard.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Irwin, Hoch, Farrell, Petrich, Broline, and Trzupek

**NAYS:** 0 – None

**ABSTAIN:** 1 – Stratis

**MOTION CARRIED** by a vote of 6-0.

**Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway (Village of Burr Ridge); Planned Unit Development and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. The petitioner is the Village of Burr Ridge in partnership with Bob Garber, owner of the subject property. On June 28, 2021, the Board of Trustees directed the Plan Commission to hold a public hearing at the subject property (hereinafter referred to as “County Line Square” or “CLS”) for the purposes of considering a Planned Unit Development to create local parking and land use regulations for the subject property. The Board found that several parking variances and special uses had been granted in succession at the subject property and has requested that the Plan Commission consider alternative approaches to regulating parking and land uses in light of these successive approvals. The petitioner requests establishment of a Planned Unit Development (PUD) as per Section VIII.B.2.cc of the Zoning Ordinance for the purpose of creating parking and land use regulations at the subject property. The intent of the PUD is to provide greater flexibility regarding the regulation of parking as well as evaluate and optimize land-use regulations for the purpose of creating an economically-healthy commercial property in downtown Burr Ridge. If a PUD is ultimately adopted, it would become the governing document regarding all zoning matters for the subject property; amendments to the PUD would be brought as public hearings. Mr. Walter asked for Plan Commission direction regarding the draft PUD regulations which had been created for the petition.

Chairman Trzupek asked for public comment.

Mark Thoma, 7515 Drew, said that the PUD was a good faith attempt to help the property develop, but the parking issue remained nonetheless.

Chairman Trzupek asked if the PUD could be further elaborated to establish a parking management plan, including items such as requiring valet, specifying employee parking, etc. Mr. Walter said that the draft PUD document was merely a first draft, and that staff was seeking any direction from the Plan Commission as to how to better perfect the document. Chairman Trzupek asked if the parking could be resolved through a Zoning Ordinance amendment.

Commissioner Stratis said the he did not initially see the solution to parking management in the current PUD draft.

Commissioner Farrell said that the PUD, even applied retroactively, cannot solve all issues, but that some solutions could be had.

Chairman Trzupek said that he wanted to see further elaboration on the parking plan, saying that the Village needed to get the parking issues handled. Several Plan Commissioners agreed with this sentiment, but admitted that they had recommended many variations over the years.

The Plan Commission agreed that more permitted uses should be added to the PUD compared to special uses.

Commissioner Irwin asked that any future PUD drafts include more clear elaboration as to what changed between standard B-1 Business zoning to the PUD.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Farrell to continue the public hearing for Z-07-2021 to August 16, 2021.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, Farrell, Hoch, Broline, Stratis, Petrich, and Trzupek  
**NAYS:** 0 – None

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

**IV. CORRESPONDENCE**

**V. OTHER PETITIONS**

**VI. PUBLIC COMMENT**

**VII. FUTURE MEETINGS**

Mr. Walter said that there were four public hearings scheduled for August 2, 2021.

**VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to adjourn the meeting at 10:01 pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, Irwin, Petrich, Farrell, Hoch, Broline, and Trzupek  
**NAYS:** 0 – None

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

**Respectfully Submitted:**

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Evan Walter – Village Administrator



VILLAGE OF  
**BURR RIDGE**  
A VERY SPECIAL PLACE

**V-04-2021: 6100 Grant Street (Toland); Requests a variation from Section VI.F.4 of the Zoning Ordinance to permit a single-family residence to be built with a floor area ratio in excess of 20%.**

**HEARING:**

August 2, 2021

**TO:**

Plan Commission  
Greg Trzupek, Chairman

**FROM:**

Evan Walter  
Village Administrator

**PETITIONER:**

Judith Toland

**PETITIONER STATUS:**

Prospective Property Owner

**EXISTING ZONING:**

R-3 Residential

**LAND USE PLAN:**

Recommends Single-Family  
Residential Uses

**EXISTING LAND USE:**

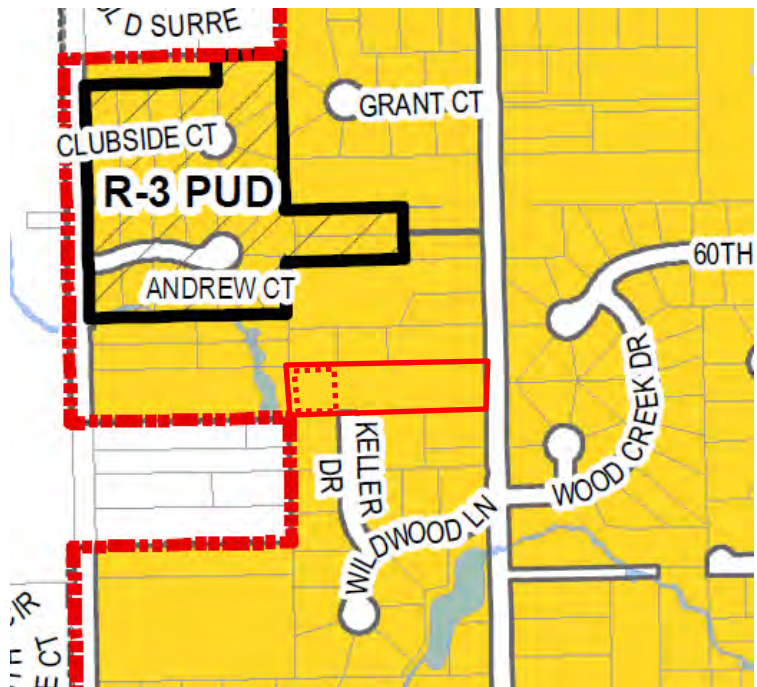
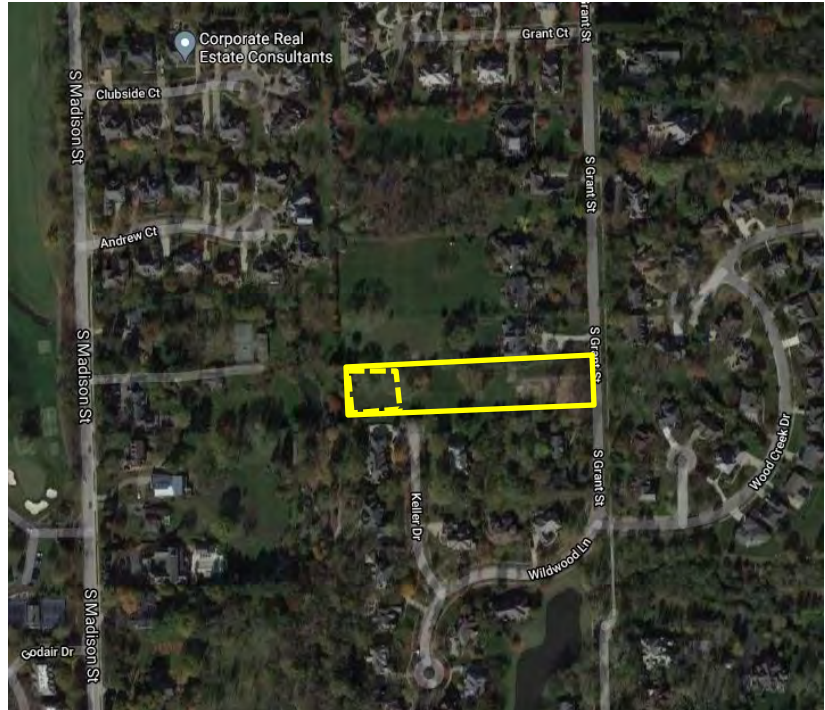
Single-Family Residence

**SITE AREA:**

0.51 Acres

**SUBDIVISION:**

Grant Street



The petitioner is Judith Toland, prospective property owner of Lot 1 in the Grant Street Subdivision. At the time of the petitioner's submittal to the Village, the Grant Street Subdivision had not been completed. On July 27, the property was successfully subdivided with a PIN of 09-13-306-013 assigned to the new subject property to be addressed as 6061 Keller Drive. The petitioner is requesting a variation from Section VI.F.4 of the Zoning Ordinance to permit a single-family residence to be built with a Floor Area Ratio (FAR) in excess of 20%.

"Floor Area Ratio" is a measurement commonly found in zoning regulations to specify the bulk of a building on a property. Calculating the FAR of a building is determined by dividing the floor area by the gross land area of the lot. For example, a 30,000-square foot property zoned R-3 Residential has an FAR regulation of 20%; in this example, a property owner would be legally permitted to build a home with a Floor Area of 6,000 square feet, as 6,000 divided by 30,000 is 20%. The entire interior space of the home does not usually count towards the determination of the Floor Area of the home, and the square footage of the home does not necessarily equate to the Floor Area of the home. For example, certain areas of principal residential structures are exempt from FAR calculation, including the first 1,000 square feet of an attached garage, interior balconies and mezzanines (such as a stairways in a two-story space), enclosed porches, attic space with wall plates less than 54" tall, and basement space whose ceiling line is less than 54" above grade. In many houses in Burr Ridge, FAR is generally limited to the first and second floor space of the home. R-1 and R-2 Residential Districts have a Floor Area Ratio of 10% while R-2A, R-2B, and R-3 Residential Districts have a Floor Area Ratio of 20%. R-5 Residential has a Floor Area Ratio of 50%, but this zoning classification is intended for multi-family development, which is not comparable to this petition.

The petitioner states in their application that the water table on the subject property is higher than normal, requiring that the proposed home to be built be raised out of the ground with a shallower basement than is otherwise desired. No additional footprint or impervious surface is claimed to be added to the subject property if the variation were granted. Staff has provided several notes regarding the assertions made in this petition.

First, water table testing is not required for the construction of new homes or additions in Burr Ridge, therefore there is no specific data relevant to Burr Ridge which shows the "average" height of the water table in the community from a comprehensive perspective. The petitioner submitted a report dated February 19, 2020 from a licensed soil testing company indicated that water bearing conditions were encountered at depths of 6'-10' below existing grade, with an engineering recommendation that the maximum bottom of foundation be no more than 5' below grade. A standard basement is 9' from top of floor to bottom of ceiling, with the floor generally sitting approximately 1-2' above foundation. The petitioner states their intent to build a 15' tall basement, but is requesting to locate some of the lost space from the basement to an area above the garage due to a 9' basement being required by the water table's presence. The International Residential Code (IRC), which has been adopted by the Village, states that basements must have a minimum ceiling height of 7 feet, defined as top of floor to bottom of ceiling. There is no maximum height of basements in the IRC or the Village. Staff has encountered significantly tall basements (defined as >20' in ceiling height) to accommodate underground sport courts in rare occasions. In the extreme majority of zoning reviews of new homes in Burr Ridge, a basement is able to be built at a depth sufficient to accommodate a 9' basement ceiling without counting towards the home's Floor Area.

The Village Engineer has noted that the petitioner could feasibly build a taller-than-9' basement by re-grading the property to raise the grade around the home, therefore artificially creating a

taller-than-present grading, as has been accomplished previously for other homes now existing on the west side of Keller Drive adjacent to the stream. The approved engineering plans for this subdivision propose the street raised 2' above existing grade. While no topography or site plan has been submitted, it could be presumed that a T/F elevation 707.4 would be reasonable, and therefore provide at least 11' in which to contain a basement above the water table. It must be strictly noted that the petitioner then be responsible for re-grading other elements of the property to properly hold or delay the conveyance of water downstream.

Second, the petitioner notes in their Findings of Fact that they plan to move the additional space moved from the basement to above the garage by adding 44-inch tall perimeter walls. This is a common practice of development observed in other areas of the Village.

Third, a comment in the petitioner's materials appears to stipulate that a number of single-family homes in the area currently exceed the 20% FAR regulation. Staff reviewed all permits issued for homes on Keller Drive, Wildwood Lane, and Grant Street in the vicinity of the subject property, and found that no single-family homes exceeded the 20% FAR regulation.

### **Public Hearing History**

No public hearings have been held related to the subject property.

### **Public Comment**

Staff has received five objections from property owners within the 1000' public hearing notice radius, all noting the preponderance of additional flooding concerns due to a larger-than-permitted home being potentially allowed. A number of other inquiries were received with no position taken except to obtain additional information.

### **Findings of Fact and Recommendation**

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission wishes to recommend approval of a variation for a home with a Floor Area Ratio in excess of 20% at the subject property, staff recommends the following conditions:

1. The variation shall be granted to 6061 Keller Drive, PIN #09-13-306-013.
2. The variation shall be made subject to the petitioner's submitted site plans.
3. The maximum Floor Area Ratio permitted for the subject property shall be that which is present in the petitioner's submitted site plans.

### **Appendix**

Exhibit A – Petitioner's Materials



## Exhibit A

### Description of Request

The Petitioner is requesting a variance from the maximum Floor Area Ratio (FAR) requirements as set forth in the text in Section VI, paragraph 8 and the Section VI FAR drawings in the Village of Burr Ridge Zoning Code. Currently, the maximum FAR for a home built on the Subject Property is 4400 square feet. The Petitioner is seeking a variance from the 4400 sq ft maximum FAR which equates to an increase of 1050 square feet.

The Petitioner is seeking this variance due to the hardship of the pond in the property due west of the Subject Property, which has impacted the water table and will prohibit the depth of basement for the home to be built. Essentially, a physical topographic element, not on the Subject Property is impeding the Petitioner's ability to build a home that is up to the standards of similar homes in this price range.

Specifically, when the Petitioner contracted for the Subject Property, it was their intention to put a fifteen (15) foot high basement to accommodate the use of the home. Because of the water table, they are restricted to a nine (9) foot basement height.

As such, the Petitioner has designed a potential solution by relocating the lost space from the basement to an area above the garage. The Petitioner can obtain their desired ceiling heights through an increase in the height of the perimeter walls over the garage (as seen in the architectural drawings, survey and site plan attached as Exhibit C in this petition) that will accommodate their use.

The variance will allow the Petitioner to make up for the loss of basement height in a different part of the home, without increasing the footprint or square footage of the home, by simply increasing the heights of the perimeter walls over the garage so as to be able to use the home as they envisioned it.

Generally speaking, Floor Area Ratios are more prevalent in multifamily situations where population and people density is to be controlled due to limited public resources or parking restrictions. The goal of FAR is to limit the number of people that a building can hold, without controlling a building's external shape. For purposes of a single family residence, this is not an issue as the home is still for a single family.

## Exhibit B

### Findings of Fact

Findings of Fact – Zoning Variation

6100 S. Grant, Lot 1, Burr Ridge, IL 60527

Burr Ridge Zoning Ordinance

As per Section XIII.H.3 of the Village of Burr Ridge Zoning Ordinance, for a variation to be approved, the petitioner must confirm all of the following findings by providing facts supporting such findings.

- a. Because of the particular physical surrounds, 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.**

A pond in the property due west of the Subject Property has impacted the water table and will prohibit the depth of basement which is customary for a house of this configuration and size. Essentially, a physical topographic element, not on the Subject Property is causing a particular hardship which is impeding the ability to build a home that is consistent with the standards of similar homes in this price point. But for the water table, the Petitioner would have been able to construct a basement with fifteen (15) foot height.

- 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 home to be constructed is not being built for the purpose of obtaining a yield as it will be used by the Petitioner as their home. That being said, with the competitive nature of homes in this price range, the variance will allow this home to equate to other homes for purposes of resale.

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

But for the water table issues, this variance request would not be necessary. Most of the homes in the zoning classification do not have this type of hardship. This situation is unique to the Subject Property.

- d. The purpose of the variation is not based primarily to increase financial gain.**

The home to be constructed is not being built for the purpose of obtaining a financial gain as it will be used by the Petitioner as their home. The variation is to help the Petitioner create the home with a layout that best suits the lot and their vision for the Subject Property.

- 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.**

This hardship stems from an adjacent property and was not caused by the current owner or the Petitioner.

Burr Ridge Zoning Ordinance

- 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 main focus of this variation relates to the area above the garage which entails adding perimeter walls of 3'8" tall. Other homes would not be effected by the change and would not add additional square footage or overburden the lot. It is strictly to accommodate the desired floor plan features that are necessitated by the unexpected lower basement heights.

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

These features and the home will fit seamlessly into the character of the community. It will add to the beauty and continued advancement of the community. A quick review of homes in the vicinity demonstrates that other homes are built in excess of the maximum FAR requirements.

- 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.**

The footprint of the home will not be affected by the requested variance and the only change will be the increased height of the perimeter walls. No additional square footage will be created and the roof lines will be consistent with others in the zoning district. The engineering requirements that are part of this process will remain the same. This will not cause the increase to any of the other items mentioned in this standard.

- 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 Comprehensive Plan encourages the construction of single family homes in this area which support the local businesses and economies. The variance simply enables the construction of the home in a manner that is better suited for the Petitioner. The variation is therefore consistent with the intent of the Village in the Comprehensive Plan.

Exhibit C  
Architectural Drawings, Plat of Survey and Elevations

Exhibit D

Proof of Ownership and Authorization from Owner

Exhibit E  
Public Notice Sign Consent Form



PRELIMINARY/FINAL PLAT OF  
GRANT STREET SUBDIVISION

LEGAL DESCRIPTION

THE NORTH 150 FEET (EXCEPT THE NORTH 8 FEET OF THE WEST 215.60 FEET AND THE NORTH 5 FEET EXCEPT THE WEST 215.60 FEET) OF LOT 5 IN BLOCK 5 IN BRANIGAR BROTHERS' HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920, AS DOCUMENT 141390, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 6100 GRANT STREET BURR RIDGE, ILLINOIS 60527  
PIN NO.: 09-13-300-104

OWNER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE SOLE OWNER(S) OF RECORD OF THE FOLLOWING DESCRIBED LAND, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS SHOWN ON THIS PLAT OF SUBDIVISION, FOR PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED:

THE NORTH 150 FEET (EXCEPT THE NORTH 8 FEET OF THE WEST 215.60 FEET AND THE NORTH 5 FEET EXCEPT THE WEST 215.60 FEET) OF LOT 5 IN BLOCK 5 IN BRANIGAR BROTHERS' HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920, AS DOCUMENT 141390, IN DUPAGE COUNTY, ILLINOIS.

THE UNDERSIGNED HEREBY DEDICATES FOR PUBLIC USE THE LANDS SHOWN ON THIS PLAT, INCLUDING BUT NOT LIMITED TO, THOROUGHFARES, ALLEYS, WALKWAYS AND PUBLIC SERVICES; GRANTS THE TELEPHONE, GAS, ELECTRIC AND ANY OTHER PUBLIC OR PRIVATE UTILITY EASEMENT AS STATED AND SHOWN ON THIS PLAT; AND GRANTS AND DECLARES THEE STORM WATER DRAINAGE AND DETENTION RESTRICTIONS AND EASEMENTS AS STATED AND SHOWN ON THIS PLAT.

THE UNDERSIGNED FURTHER CERTIFIES THAT THERE ARE NO UNPAID DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS AFFECTING THE LAND DESCRIBED AND SHOWN ON THIS SUBDIVISION PLAT OR, IF ANY OF SAID INSTALLMENTS ARE NOT PAID, THEN SUCH INSTALLMENTS HAVE BEEN DIVIDED IN ACCORDANCE WITH THE SUBDIVISION AND APPROVED BY THE COURT WHICH CONFIRMED THE SPECIAL ASSESSMENT AND THE PROPER COLLECTOR OF ANY SUCH SPECIAL ASSESSMENT HAS SO CERTIFIED SUCH DIVISION ON THE FACE OF THIS SUBDIVISION PLAT.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

OWNER SIGNATURE

ADDRESS

NOTARY CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT, \_\_\_\_\_, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS SUBDIVISION PLAT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED THIS SUBDIVISION PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020, AT \_\_\_\_\_, ILLINOIS.

NOTARY PUBLIC

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, COUNTY CLERK OF \_\_\_\_\_ COUNTY, DO HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, NO DELINQUENT OR UNPAID CURRENT SPECIAL ASSESSMENTS, NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THIS PLAT OF SUBDIVISION AND NO DEFERRED INSTALLMENTS OF ANY OUTSTANDING UNPAID SPECIAL ASSESSMENTS WHICH HAVE NOT BEEN DIVIDED IN ACCORDANCE WITH THE PROPOSED SUBDIVISION AND DULY APPROVED BY THE COURT THAT CONFIRMED THE SPECIAL ASSESSMENT.

GIVEN UNDER MY HAND AND SEAL AT \_\_\_\_\_, COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

COUNTY CLERK

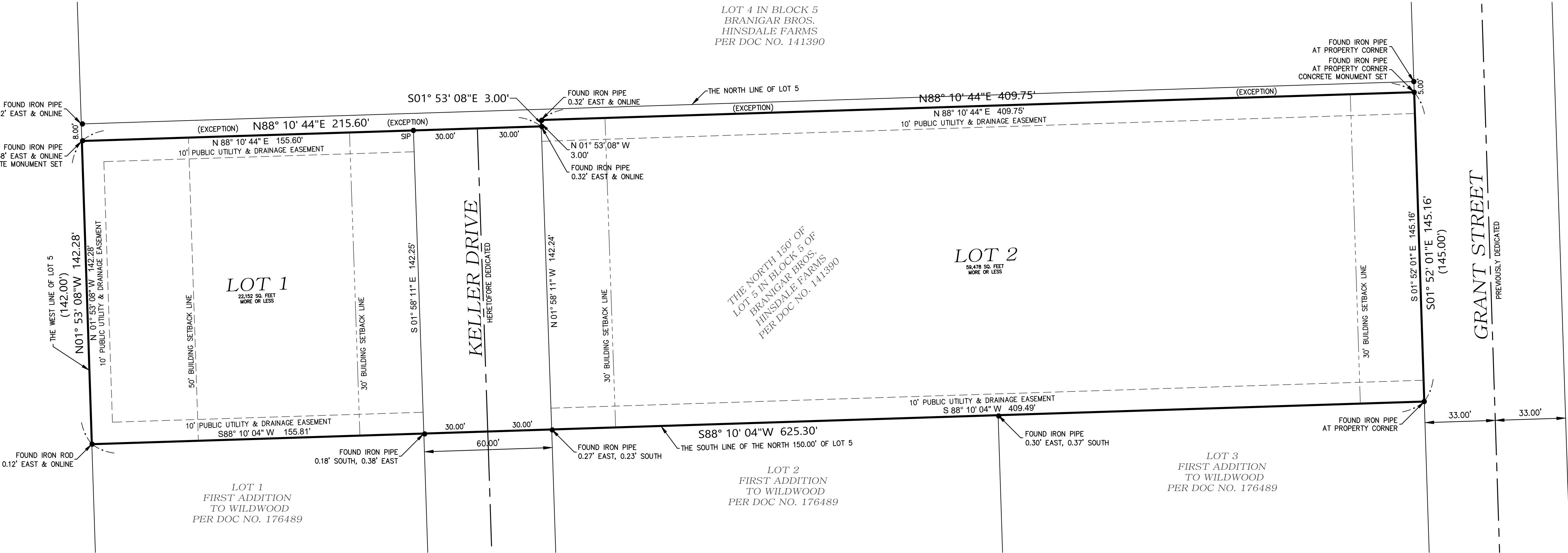
CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, VILLAGE TREASURER OF THE VILLAGE OF BURR RIDGE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS OF ANY OUTSTANDING UNPAID SPECIAL ASSESSMENTS WHICH HAVE NOT BEEN DIVIDED IN ACCORDANCE WITH THE PROPOSED SUBDIVISION AND DULY APPROVED BY THE COURT THAT CONFIRMED THE SPECIAL ASSESSMENTS.

DATED AT BURR RIDGE, \_\_\_\_\_, COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

VILLAGE TREASURER



VILLAGE CLERK'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, VILLAGE CLERK OF THE VILLAGE OF BURR RIDGE, ILLINOIS, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PRESENTED TO AND BY RESOLUTION OR ORDER DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON \_\_\_\_\_, 2020, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID VILLAGE.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF THE VILLAGE OF BURR RIDGE, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

COUNTY CLERK

SURFACE TO WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

WE HEREBY CERTIFY THAT THE TOPOGRAPHICAL AND PROFILE STUDIES REQUIRED BY THE ILLINOIS PLAT ACT, ILLINOIS REVISED STATUTE, CHAPTER 109, ET SEQ., AS NOW OR HEREAFTER AMENDED, HAVE BEEN FILED WITH THE VILLAGE OF BURR RIDGE, A MUNICIPAL CORPORATION IN COOK AND DUPAGE COUNTIES, ILLINOIS, AND THE CERTIFICATION AS TO DRAINAGE REQUIRED BY SAID ACT MADE THEREON.

DATED AT BURR RIDGE, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

REGISTERED PROFESSIONAL ENGINEER LICENSE NUMBER PROPERTY OWNER(S)

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, VILLAGE ENGINEER OF THE VILLAGE OF BURR RIDGE, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS IN THIS SUBDIVISION, AS SHOWN BY THE PLANS AND SPECIFICATIONS THEREOF, MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREOF.

DATED AT BURR RIDGE, DUPAGE COUNTY, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

VILLAGE ENGINEER

OWNER'S CERTIFICATE - SCHOOL DISTRICTS

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS/ARE THE SOLE OWNER(S) OF RECORD OF THE FOLLOWING DESCRIBED LAND, AND HEREBY CERTIFIES THAT THE SUBJECT PROPERTY IS LOCATED WITH THE FOLLOWING SCHOOL DISTRICT(S): GRADE SCHOOL DISTRICT 181, HIGH SCHOOL DISTRICT 86 AND COLLEGE OF DUPAGE DISTRICT 502.

THE NORTH 150 FEET (EXCEPT THE NORTH 8 FEET OF THE WEST 215.60 FEET AND THE NORTH 5 FEET EXCEPT THE WEST 215.60 FEET) OF LOT 5 IN BLOCK 5 IN BRANIGAR BROTHERS' HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920, AS DOCUMENT 141390, IN DUPAGE COUNTY, ILLINOIS.

PROPERTY OWNER

NOTARY CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT, \_\_\_\_\_, PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS SUBDIVISION PLAT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED THIS SUBDIVISION PLAT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020, AT \_\_\_\_\_, ILLINOIS.

NOTARY PUBLIC

FLAGG CREEK WATER RECLAMATION DISTRICT CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )SS

I, \_\_\_\_\_, MANAGER FOR THE FLAGG CREEK WATER RECLAMATION DISTRICT, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT, AND THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS THEREOF, MEET THE REQUIREMENTS OF THE FLAGG CREEK WATER RECLAMATION DISTRICT.

DATED AT \_\_\_\_\_, ILLINOIS, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

VILLAGE MANAGER

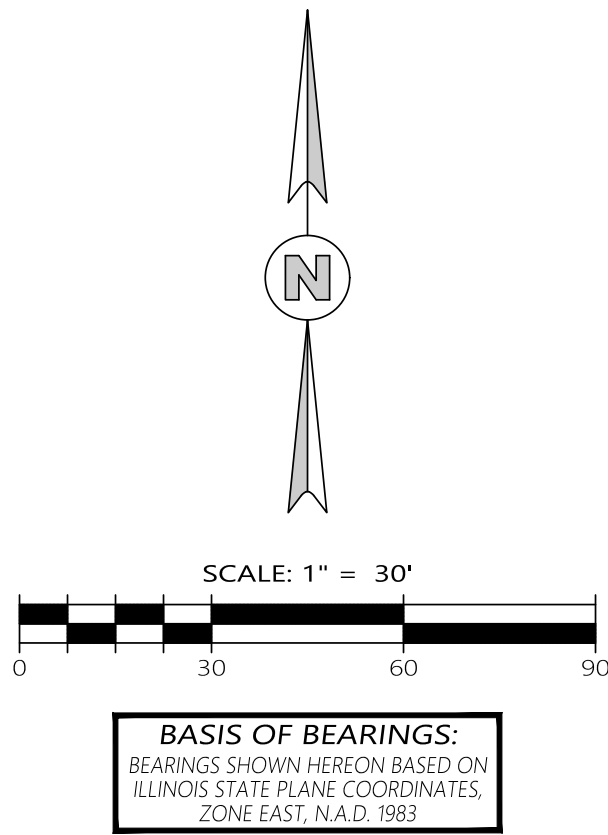
PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT PROVISIONS

NON-EXCLUSIVE, PERPETUAL EASEMENTS ARE RESERVED AND GRANTED FOR THE VILLAGE OF BURR RIDGE AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISES FROM THE VILLAGE OF BURR RIDGE INCLUDING, BUT NOT LIMITED TO, COMMONWEALTH EDISON COMPANY, AMERITECH, NICOR, A.T. & T. CABLE, AND THEIR SUCCESSORS AND ASSIGNS OVER ALL AREAS MARKED, "PUBLIC UTILITIES AND DRAINAGE EASEMENT" AND THOSE AREAS DESIGNATED "P.U. & D.E." ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN, AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS, AND INCLUDING BUT NOT LIMITED TO OVERLAND DRAINAGE, STORM AND/OR SANITARY SEWERS, TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BE SAID VILLAGE AND/OR UTILITY COMPANIES, OVER UPON, ALONG, UNDER AND THROUGH SAID INDICATED EASEMENT, TOGETHER WITH RIGHT OF ACCESS ACROSS THE PROPERTY FOR NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN AND TRIM OR REMOVE ANY FENCES, TEMPORARY STRUCTURES, TREES, SHRUBS, OR OTHER PLANTS WITHOUT OBLIGATION TO RESTORE OR REPLACE AND WITHOUT NEED FOR PROVIDING COMPENSATION THEREFORE ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS, WHERE AN EASEMENT IS USED FOR BOTH SEWER AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF BURR RIDGE AND TO VILLAGE APPROVAL AS TO DESIGN LOCATION.

PERPETUAL EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO THE VILLAGE OF BURR RIDGE AND OTHER GOVERNMENTAL AUTHORITIES HAVING JURISDICTION OF THE LAND SUBDIVIDED HEREBY, OVER THE ENTIRE EASEMENT AREA FOR INGRESS, EGRESS, AND THE PERFORMANCE OF MUNICIPAL AND OTHER GOVERNMENTAL SERVICES INCLUDING WATER, STORM, AND SANITARY SEWER SERVICE AND MAINTENANCE AND EMERGENCY AND ROUTINE POLICE, FIRE, AND OTHER PUBLIC SAFETY RELATED SERVICES.

ENGINEER:  
ESM CIVIL SOLUTIONS, LLC  
CIVIL ENGINEERING - LAND ENTITLEMENTS - PROJECT FEASIBILITY  
4320 WINFIELD ROAD - SUITE 200 WARRENVILLE, IL 60555  
O: 630-300-0933 C: 630-624-0520

TAX BILL AND RETURN PLAT TO:  
CURT AND CARLA COOPER  
6100 S. GRANT STREET  
BURR RIDGE, IL 60527



GROSS LAND AREA:  
2.070 ACRES MORE OR LESS  
90,164 SQ FEET MORE OR LESS

LOT 1 AREA:  
22,152 SQ FEET MORE OR LESS

LOT 2 AREA:  
59,478 SQ FEET MORE OR LESS

STREET DEDICATION:  
8,534 SQ FEET MORE OR LESS

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF DEKALB )SS

THIS IS TO CERTIFY THAT I, RUDY P. DIXON, REGISTERED, ILLINOIS LAND SURVEYOR NO. 035-003832, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 150 FEET (EXCEPT THE NORTH 8 FEET OF THE WEST 215.60 FEET AND THE NORTH 5 FEET EXCEPT THE WEST 215.60 FEET) OF LOT 5 IN BLOCK 5 IN BRANIGAR BROTHERS' HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920, AS DOCUMENT 141390, IN DUPAGE COUNTY, ILLINOIS.

AS SHOWN ON THIS SUBDIVISION PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. I FURTHER CERTIFY THAT ALL REGULATIONS ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BURR RIDGE, A MUNICIPAL CORPORATION IN COOK COOK AND DUPAGE COUNTIES, ILLINOIS, RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT.

I FURTHER CERTIFY THAT (A/NO) PART OF THE PROPERTY COVERED BY THIS PLAT OF SUBDIVISION IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THAT (A/NO) PART OF SAID PROPERTY BORDERS ON OR INCLUDES ANY PUBLIC WATERS IN WHICH THE STATE OF ILLINOIS HAS ANY PROPERTY RIGHTS OR PROPERTY INTERESTS.

I FURTHER CERTIFY THAT THIS SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF SAID VILLAGE OF BURR RIDGE OR WITHIN 1 1/2 MILES OF THE CORPORATE LIMITS OF SAID VILLAGE WHICH HAS ADOPTED A CITY PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS NOW OR HEREAFTER AMENDED.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

RUDY P. DIXON ILLINOIS PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 035-003832 LICENSE EXPIRES: NOVEMBER 30, 2021

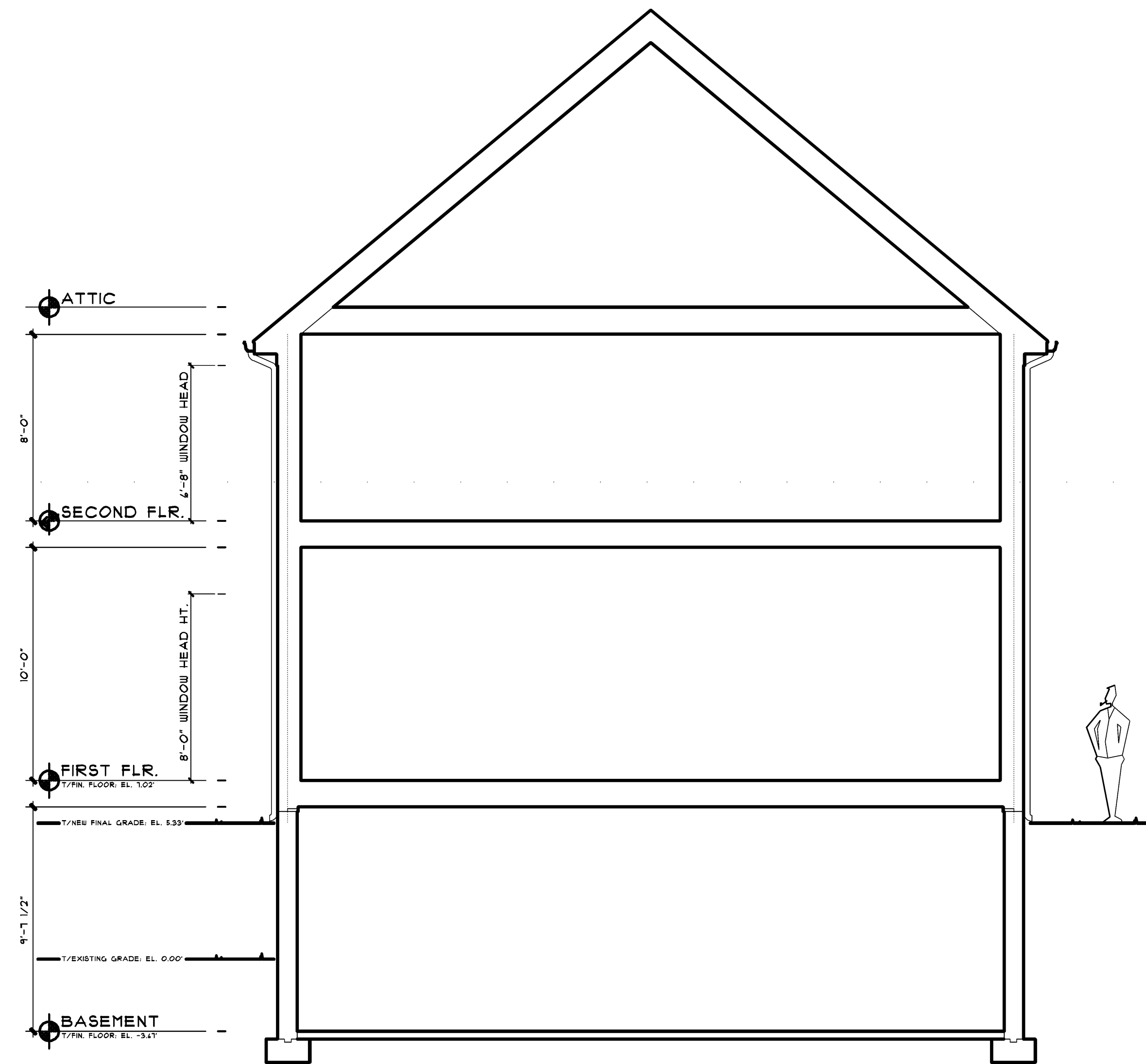
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



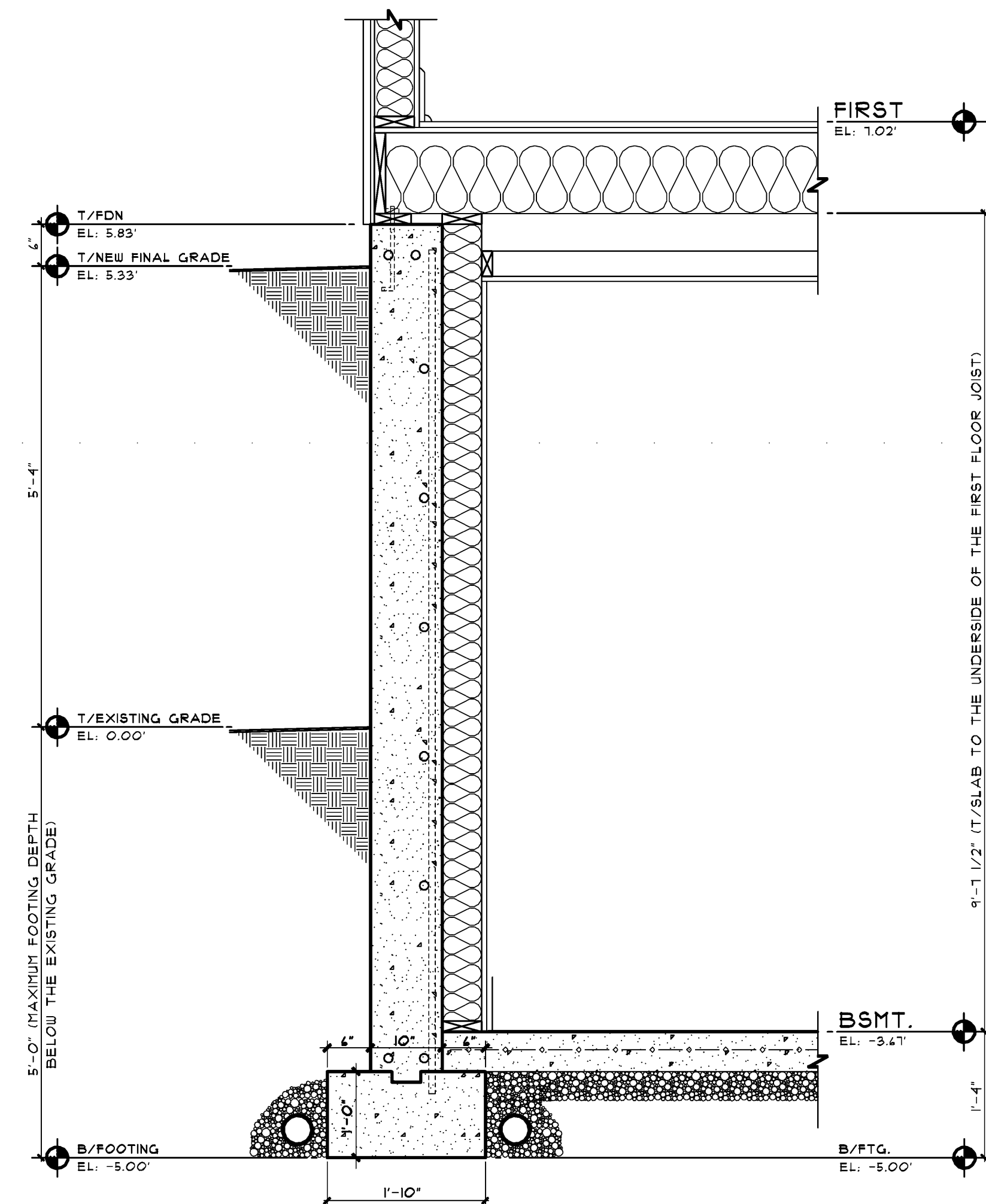
**REGIONAL LAND SERVICES**  
270 VIDA COURT  
SYCAMORE, ILLINOIS 60178  
PHONE: (618) 559-2260

PROJECT NUMBER: 200105	DRAWN BY: RWH DATE: 7/1/2020			
SCALE: 1" = 30'	CHECKED BY: RPD DATE: 7/1/2020			
ORDERED BY: ESM	FIELD WORK COMPLETED DATE: 1/20/2020			
PROPERTY ADDRESS: 6100 S GRANT STREET BURR RIDGE, IL 60577		0	ISSUED	7/1/2020
		REV	DESCRIPTION	DATE

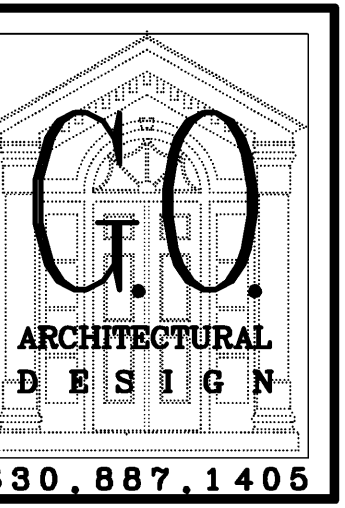




① NORTH/SOUTH BUILDING SECTION  
scale: 1/4"=1'-0"



② FOUNDATION WALL SECTION  
scale: 3/4"=1'-0"

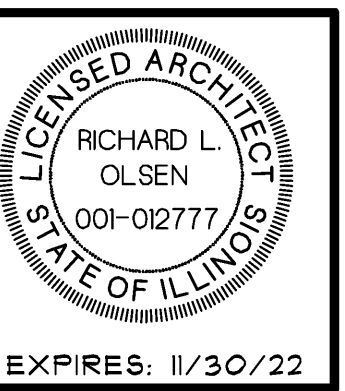


OAKLEY  
HOME BUILDERS  
521 1/2 MAIN STREET - UNIT A  
DOWNERS GROVE, ILLINOIS  
(630) 241-9402  
WWW.OAKLEYHOMEBUILDERS.COM

BUILDING  
SECTIONS

DATE:	JULY 15, 2021
SCALE:	GIVEN
DRAWN:	RICHARD OLSEN
PROJECT NO:	2021.32
ISSUED FOR:	VARIATION

A NEW HOME FOR:  
JUDITH AND ALEX  
TOLAND  
LOT 1-KELLER DRIVE  
BURR RIDGE, ILLINOIS



SHEET:  
A.4

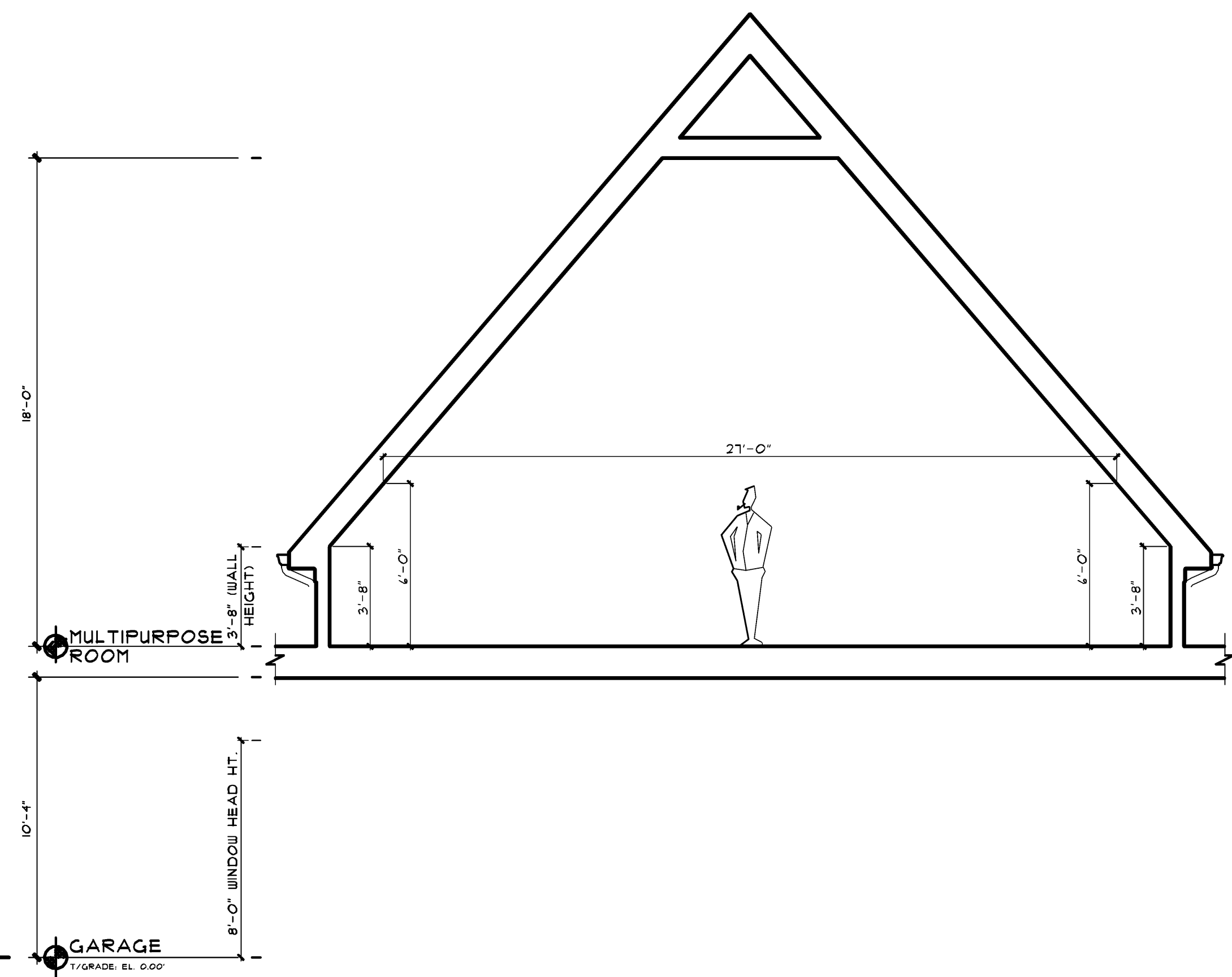




**A EAST ELEVATION**  
scale: 1/4"=1'-0"



**B NORTH ELEVATION**  
scale: 1/4"=1'-0"



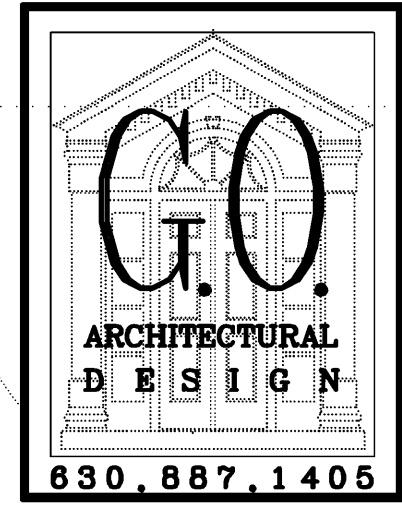
**C MULTIPURPOSE ROOM SECTION**  
scale: 1/4"=1'-0"



155.8'

BUILDING SETBACK LINE

BUILDING SETBACK LINE



OAKLEY  
HOME BUILDERS  
5216 MAIN STREET - UNIT A  
DOWNERS GROVE, ILLINOIS  
(630) 241-9402  
WWW.OAKLEYHOMEBUILDERS.COM

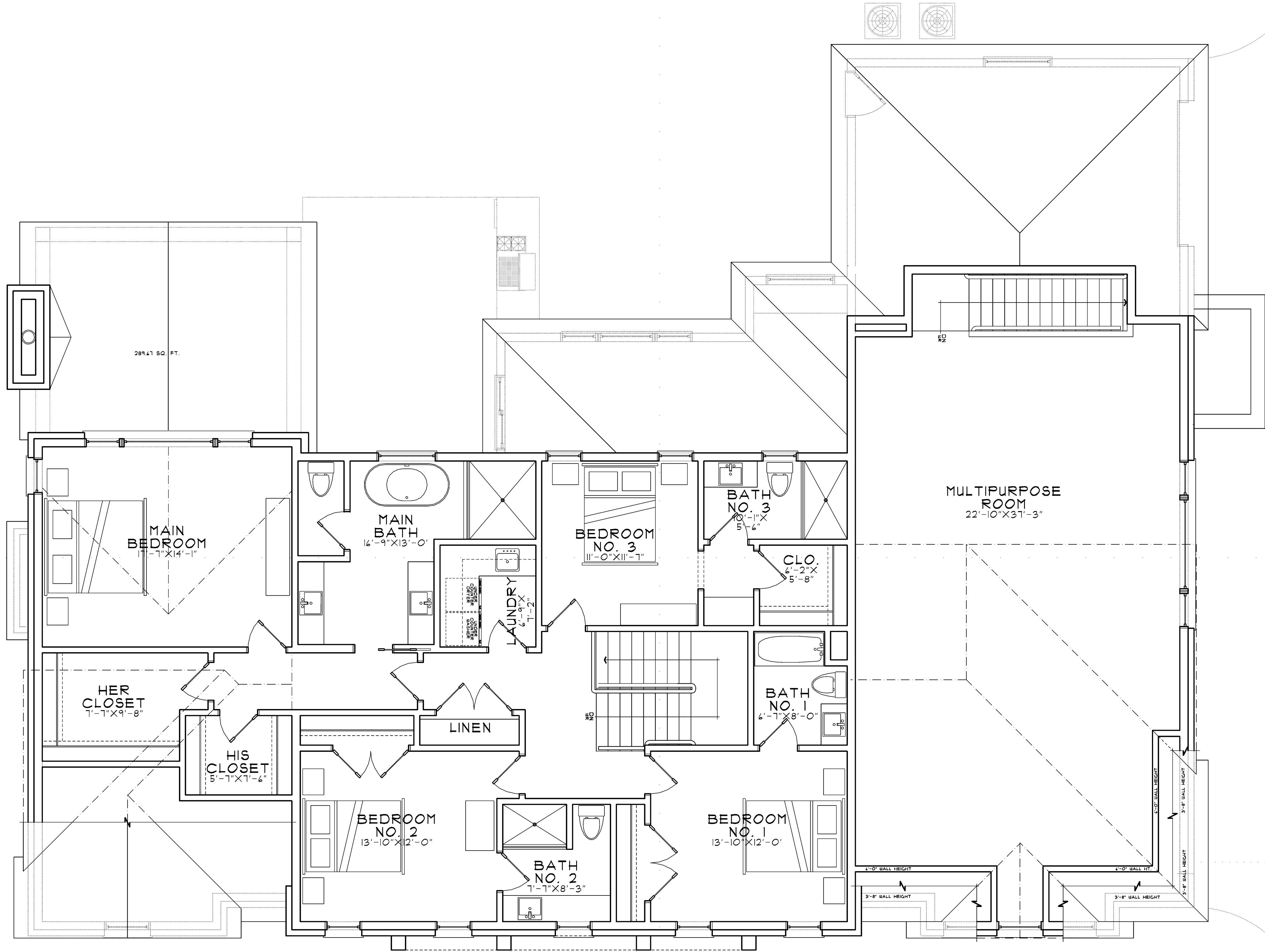
2ND FLOOR  
PLAN

DATE: JULY 1, 2021  
SCALE: GIVEN  
DRAWN: RICHARD OLSEN  
PROJECT NO: 2021.32  
ISSUED FOR: VARIATION

A NEW HOME FOR:  
JUDITH AND ALEX  
TOLAND  
LOT 1-KELLER DRIVE  
BURR RIDGE, ILLINOIS



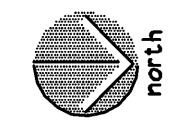
SHEET: A.2



BUILDING SETBACK LINE

BUILDING SETBACK LINE

**2ND FLOOR PLAN**  
1/4"=1'-0"  
GROSS HEATED SQUARE FOOTAGE: 1795.28  
MULTIPURPOSE ROOM SQ. FTG.: 916.25  
1ST AND 2ND FLOOR F.A.R. (NOT INCLUDING MULTIPURPOSE): 4423.44 SQ. FT.





REPORT NO. 19408

FEBRUARY 19, 2020

## REPORT OF SOIL INVESTIGATION

### PROJECT

Proposed Residence  
6100 S. Grant Street  
Burr Ridge, Illinois

### CLIENT

Curt Cooper  
  
Oak Brook, Illinois

ILLINOIS DRILLING & TESTING CO., INC.  
1752 ARMITAGE COURT - ADDISON, ILLINOIS 60101.4207  
Phone 630.629.7645  
[www.illinoisdrilling.com](http://www.illinoisdrilling.com)



*Since 1958*

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## ILLINOIS DRILLING & TESTING CO., INC.

1752 Armitage Court  
Addison, Illinois 60101

Phone 630.629.7645  
[www.illinoisdrilling.com](http://www.illinoisdrilling.com)

February 19, 2020

Mr. Curt Cooper  
Innotek Medical Products, Inc.  
2021 Midwest Road - Suite 101  
Oak Brook, Illinois 60523

**Report No. 19408** - Proposed Residence  
6100 S. Grant Street  
Burr Ridge, Illinois

Dear Mr. Cooper:

Our Report of Soil Investigation No. 19408, performed at the above referenced site in Burr Ridge, Illinois, is herewith submitted. Two (2) test borings were performed to a depth of 15.0' below existing grades at the locations indicated on the attached plot plan. The results of the test borings along with the location diagram are included with this letter report. The purpose of the subsurface investigation was to determine the physical properties of the soil at the site, analyze the results and submit preliminary recommendations regarding foundation construction of the proposed residence.

We have included the depths from existing grade to firm soil for a net allowable 3,000 PSF soil bearing capacity in the soil boring logs and plot plan summary, which can be utilized to support the loads of a conventional footing foundation system. Suitable bearing (3,000 PSF) material was encountered at depths of 1.6' to 2.0' below existing grades. The soil conditions encountered are described in detail on the soil boring logs. Boring 1 indicated 2.0' of topsoil overlying alternating layers of cohesive and granular soil. Boring 2 indicated 1.6' of topsoil overlying very tough/hard, brown with some gray to gray silty clay with an intermittent layer of medium dense, brown sand and silt from 6.0' to 7.5' below existing grade.

On the basis of the field and laboratory investigation, the proposed residence to be constructed on this site may utilize the most economical type of foundation, such as continuous wall footings and interior spread footings. Footing foundations should be located below any surface fills, topsoil, etc. and into the underlying, suitable bearing material. All foundations should be located at a minimum depth of 42" below final exterior grade for sufficient frost protection.

Water bearing conditions were encountered at depths of 6.0' to 10.0' below existing grades within the medium dense, brown/gray sand and silt layer. Since water bearing conditions were encountered at a depth of 6.0' below existing grade, we recommend a maximum bottom of footing of 5.0' below existing grades. Since the current grades of the subject property are somewhat low and the existing residence to the south is approximately 4.0' higher, we anticipate the house will be raised.

Based on the limited scope of the investigation and since final development plans were not provided, some variation in the soil conditions should be anticipated during the excavating operations. The analyses and recommendations submitted in this report are based upon the data obtained from the two borings performed at the locations indicated on the Plot Plan. This report does not reflect any variations which may occur away from the test borings. The nature and extent of the variations between borings may not become evident until the course of construction is underway.

If variations then appear evident, it will be necessary that a re-evaluation of the recommendations of this report be made after performing on-site observations during the construction period and noting the characteristics of any variations. It is recommended that a representative from Illinois Drilling & Testing Co., Inc. be present during footing excavation in order to verify the soil conditions and to suggest possible remedial measures.

We have welcomed the opportunity to be of service to you on this project. If there are any questions regarding the information presented, please do not hesitate to contact us.

Sincerely,

**ILLINOIS DRILLING & TESTING COMPANY, INC.**

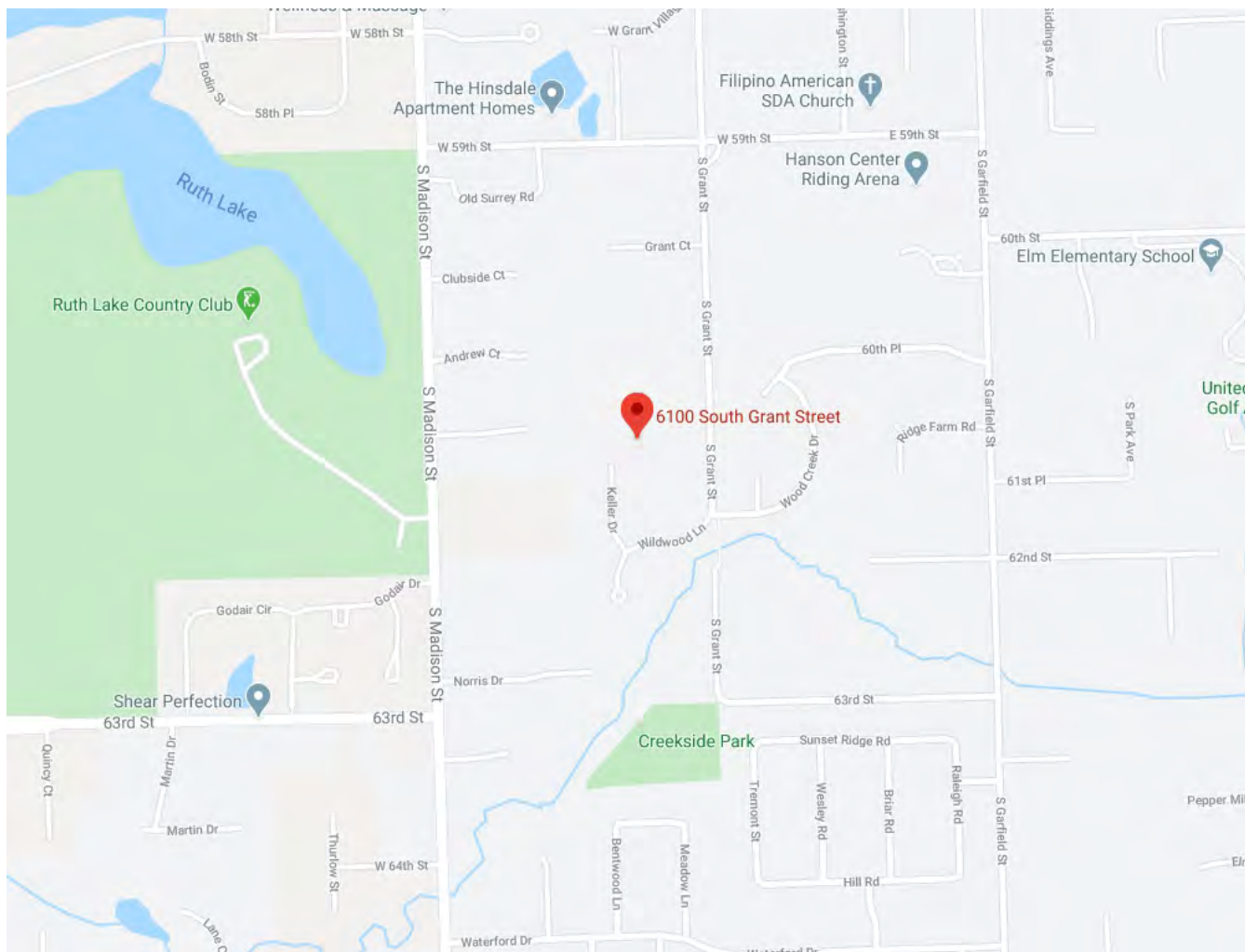


*Chang H. Choi*

Anthony Cipriani  
Project Manager

Chang H. Choi, P.E.  
Illinois No. 62-28807

AC:CHC:rc



February 19, 2020	By: rc	SITE LOCATION		Job No. 19408	Scale: NTS
CLIENT Curt Cooper Oak Brook, IL		PROJECT Proposed Residence 6100 S. Grant Street Burr Ridge, IL			



### SUMMARY OF THE TEST BORINGS

Boring Number	Ground Surface Elevation	Depth to Firm Soil 3,000 PSF
1	Existing Grade	2.0'
2	“	1.6'

February 19, 2020	By: rc	PLOT PLAN	Job No. 19408	Scale: NTS
CLIENT Curt Cooper Oak Brook, IL			PROJECT Proposed Residence 6100 S. Grant Street Burr Ridge, IL	

## ILLINOIS DRILLING &amp; TESTING COMPANY, INC.

1752 Armitage Court - Addison, IL 60101.4207

Report No.	19408	Rig	D-25	Crew	AC/SC	Date of Boring	02-12-20
------------	-------	-----	------	------	-------	----------------	----------

BORING NO. 1		WATER LEVELS:		While Sampling 10.0'			After Boring 8.0'					
Depth 0.0'	Description of Material (Ground Surface)	S N	T S	S D	Elevation Ex. Grade	Q <sub>u</sub>	Q <sub>p</sub>	MC	N			
2.0'	TOPSOIL - Black (OL)											
	Silty CLAY Brown - Tough/Very Tough (CL)	1	S					1.7	23			
5.5'		2	S					2.3	21			
		SILT & CLAY - Some Sand Brown - Medium Dense (SC) (Moist)	3	S				4.3	19	15		
7.0'											Silty CLAY Gray - Hard (CL)	
	10.0'	SAND & SILT Gray - Medium Dense (SM) (Water Bearing)	4	S						17		
12.0'			Silty CLAY Gray - Hard (CL)									
	5	S					4.5+	18				
15.0'												

END OF BORING

NOTE: Net Allowable Soil Bearing Capacity of 3,000 PSF encountered at a depth of 2.0' below existing grade.

## SOIL BORING LOG RECORD SHEET

CLIENT	Curt Cooper Oak Brook, IL	PROJECT	Proposed Residence 6100 S. Grant Street Burr Ridge, IL
--------	------------------------------	---------	--



ILLINOIS DRILLING & TESTING COMPANY, INC. 1752 Armitage Court - Addison, IL 60101.4207							
Report No.	19408	Rig	D-25	Crew	AC/SC	Date of Boring	02-12-20

BORING NO. 2		WATER LEVELS:		While Sampling 6.0'		After Boring 4.0'			
Depth 0.0'	Description of Material (Ground Surface)	S N	T S	S D	Elevation Ex. Grade	Q <sub>u</sub>	Q <sub>p</sub>	MC	N
1.6'	TOPSOIL - Black (OL)								
	Silty CLAY Brown - Some Gray - Very Tough (CL)	1	S				2.4	22	
6.0'		2	S				2.7	20	
		7.5'	3	S					
15.0'	Silty CLAY Brown & Gray to Gray - Very Tough/Hard (CL)								
		4	S				3.7	18	
		5	S				4.5+	18	

END OF BORING

NOTE: Net Allowable Soil Bearing Capacity of 3,000 PSF encountered at a depth of 1.6' below existing grade.

SOIL BORING LOG RECORD SHEET			
CLIENT	Curt Cooper Oak Brook, IL	PROJECT	Proposed Residence 6100 S. Grant Street Burr Ridge, IL

## ILLINOIS DRILLING &amp; TESTING COMPANY, INC.

1752 Armitage Court - Addison, IL 60101.4207

Report No.

19408

Rig

D-25

Crew

AC/SC

Date of Boring

02-12-20

## NOTES

Abbreviation		Units
NE	Not Encountered	-
SN	Sample Number	-
TS	Type of Sampling	-
S	Split Spoon	-
SD	Sampling Distance	-
$Q_u$	Unconfined Compression test	Tons/ft <sup>2</sup>
$Q_p$	Calibrated Penetrometer test	Tons/ft <sup>2</sup>
MC	Moisture Content test	% Dry Weight
N	Penetration Test	Blows/Foot

## SOIL BORING LOG RECORD SHEET

CLIENT

Curt Cooper  
Oak Brook, IL

PROJECT

Proposed Residence  
6100 S. Grant Street  
Burr Ridge, IL



**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.**

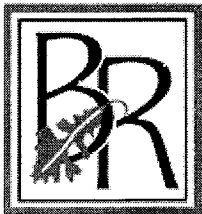
Street Address of Subject Property:

6100 S. Grant, Lot 1, Burr Ridge, IL 60527  
Hyde Business Group LLC

Property Owner or Petitioner:

Curtis H. Cooper  
(Print Name)

\_\_\_\_\_  
(Signature)



# VILLAGE OF BURR RIDGE

## PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

### GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Judith Toland and Alexander Toland

STATUS OF PETITIONER: Contract Purchaser

PETITIONER'S ADDRESS: 400 E 58th Street Westmont 60559

ADDRESS OF SUBJECT PROPERTY: 6100 S. Grant, Lot 1, Burr Ridge, IL 60527

PHONE: (248) 872-7984

EMAIL: judithtoland@yahoo.com

PROPERTY OWNER: Hyde Business Group LLC

PROPERTY OWNER'S ADDRESS: 2021 Midwest Road, Ste 101 PHONE: \_\_\_\_\_

PUBLIC HEARING REQUESTED: ☐ Special Use ☐ Rezoning ☐ Text Amendment ☒ Variation(s)

### DESCRIPTION OF REQUEST:

Please see Exhibit A

### PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 0.50 Acres / EXISTING ZONING: R3

EXISTING USE/IMPROVEMENTS: Vacant Lot

SUBDIVISION: Grant Street Subdivision

PIN(S) # 09-13-300-104 (underlying PIN)

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

7/7/21

Date of Filing

## **LEGAL NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at **7:00 p.m. on Monday, August 2, 2021**, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

### **PURPOSE OF HEARING**

1. The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Judith Toland for a variation from Section VI.F.4 of the Zoning Ordinance to permit a single-family residence to be built with a floor area ratio in excess of 20%. The petition number and address is **V-04-2021: 6100 Grant Street** and the Permanent Real Estate Index Number is **09-13-300-104**.

Public comment may be provided by individuals who attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than 5:00 p.m. on Tuesday, July 27, 2021. All public comment may be emailed to Evan Walter ([ewalter@burr-ridge.gov](mailto:ewalter@burr-ridge.gov)) or mailed to Mr. Walter's attention at the aforementioned address. All public comment received in a timely fashion shall be considered equally. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

**BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.**

**Greg Trzupek, Chairman**

**MEMBERS: GREG TRUZPEK, MIKE STRATIS, LUISA HOCH, JIM BROLINE, JANINE FARRELL, BARRY IRWIN, JOSEPH PETRICH, AND ENZA PARRELLA.**

Puri, Manish & Sandra  
5 Clubside Ct  
Burr Ridge, IL 605210000  
PIN 09133080030000

Emery, Joan  
11 Norris Dr  
Burr Ridge, IL 605270000  
PIN 09133000630000

Cook, Charles L & Mary  
6112 Woodcreek Ct  
Burr Ridge, IL 605210000  
PIN 09133010520000

Anand, Kris & Raji  
4 Clubside Ct  
Burr Ridge, IL 605210000  
PIN 09133080100000

Holton, M Ross & Lorelee  
573 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010420000

Cooper, Curtis H & Carla  
685 Grant Ct  
Burr Ridge, IL 605270000  
PIN 09133000920000

Newell, Nancy F  
6104 Woodcreek Dr  
Burr Ridge, IL 605210000  
PIN 09133010480000

Lynch, Joseph  
6125 S Madison St  
Hinsdale, IL 605270000  
PIN 09133000990000

Kumler, John L  
6151 Keller Ln  
Burr Ridge, IL 605210000  
PIN 09133060100000

Joyce, Matthew P Tr  
117 S Park Ave  
Hinsdale, IL 605270000  
PIN 09133000820000

Sievers, Harvey N  
6059 S Madison  
Burr Ridge, IL 605210000  
PIN 09133000810000

Outarsingh, Seema & R  
6240 S Grant St  
Burr Ridge, IL 605270000  
PIN 09133060020000

Wheeler, John K  
6301 S Cass  
Westmont, IL 605210000  
PIN 09133060010000

Bergmann, Cynthia  
8 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080080000

Najjar, Samer & D Shatti  
6 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080090000

Vardas Jr, Michael A  
6 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080210000

Kavooras, Peter & Katina  
6206 Wildwood Ln  
Burr Ridge, IL 605270000  
PIN 09133060040000

Deady, James & Katherine  
6300 Wildwood Ln  
Burr Ridge, IL 605210000  
PIN 09133060060000

Stine Tr, Robert & Lynn  
635 Grant Ct  
Burr Ridge, IL 605210000  
PIN 09133000890000

Taylor, Andrew P  
670 Grant Ct  
Burr Ridge, IL 605270000  
PIN 09133000930000

Locke, Catherine  
6130 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000380000

Caveney, Gerald W  
6005 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133010270000

Agarwal, Sanjeev & Meenu  
5 Norris Dr  
Burr Ridge, IL 605270000  
PIN 09133000500000

Hoyt, Candice & Robert  
540 60Th Pl  
Burr Ridge, IL 605270000  
PIN 09133020160000

Ponnambalam, S & N Sundram  
10 Andrew Ct  
Burr Ridge, IL 605210000  
PIN 09133080190000

De Geer, Randall & Tara  
6050 Grant St  
Burr Ridge, IL 605270000  
PIN 09133000340000

Thornton, Michael & E  
6004 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000310000

Lawton, Cassandra R  
11 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133001020000

Berger, Aaron & Carrie  
6185 Wildwood Ln  
Burr Ridge, IL 605270000  
PIN 09133070030000

Ruth Lake Country Club  
6200 S Madison St  
Hinsdale, IL 605210000  
PIN 09144000020000

Pomeroy, Lisa Ann  
6250 Grant St  
Burr Ridge, IL 605210000  
PIN 09133000420000

Strumillo, Donald & V L  
7020 High Grove Blvd  
Burr Ridge, IL 605210000  
PIN 09133010100000

Smith, Randall  
12 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080180000

Lawton, Cassandra R  
11 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080260000

Yedavalli, Nina & Ramana  
6201 Wildwood Ln  
Burr Ridge, IL 605216055  
PIN 09133060090000

Dynasty, Matthew P Tr  
117 S Park Ave  
Hinsdale, IL 605270000  
PIN 09133000090000

Connor, Scott & Yamina  
6121 Woodcreek Dr  
Burr Ridge, IL 605210000  
PIN 09133020240000

Gottschalk, Joseph & L  
4 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080220000

Tilles, Kay O  
6111 Woodcreek Ct  
Burr Ridge, IL 605210000  
PIN 09133010490000

Joyce, Matthew P Tr  
117 S Park Ave  
Hinsdale, IL 605270000  
PIN 09133000850000

Thornton, Michael T  
6004 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000300000

Patel, Ramesh & Bharati R  
10 Clubside Ct  
Burr Ridge, IL 605210000  
PIN 09133080070000

Hamad, A & S Albasha  
1 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080120000

Milutinovic, Svetlana  
6100 S Madison St  
Willowbrook, IL 605270000  
PIN 09133000980000

Sanatore-Shanahan, Joanne  
6100 S Madison St  
Willowbrook, IL 605270000  
PIN 09133000110000

Pielet, Adam  
3 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080020000

Woodcreek Hm Owners Assc  
549 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133020250000

Mehta, Rajeev & Shinki  
610 Grant Ct  
Burr Ridge, IL 605270000  
PIN 09133000960000

Maringer, Michalene  
6117 Woodcreek Dr  
Burr Ridge, IL 605210000  
PIN 09133020230000

Zakieh, Nassar & Rafah  
6086 Keller Dr  
Burr Ridge, IL 605270000  
PIN 09133070040000

Arun, Haleyur P & V V  
650 Grant Ct  
Burr Ridge, IL 605270000  
PIN 09133000940000

Freier, Paul & Marie  
6108 Woodcreek Ct  
Burr Ridge, IL 605270000  
PIN 09133010510000

Bair, Robert Y  
6221 Madison St  
Burr Ridge, IL 605270000  
PIN 09133000150000

Boshardt, Fredrick & Etal  
6143 Madison St  
Burr Ridge, IL 605270000  
PIN 09133000130000

Patel, Pritesh & Minisha  
577 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010430000

Basu, Shivaji & Munmun  
9 Norris Dr  
Burr Ridge, IL 605210000  
PIN 09133000620000

Elahi, Riaz  
6026 Woodcreek Dr  
Burr Ridge, IL 605270000  
PIN 09133010470000

Attassi, Kinan  
11 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080060000

Fakouejan & Farah  
6040 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000780000

Chough, S P & A Park  
3 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080130000

Brady, Timothy & Deborah  
6101 Keller Dr  
Burr Ridge, IL 605210000  
PIN 09133060110000

Caveney, Thomas J  
6265 Wildwood Ln  
Burr Ridge, IL 605270000  
PIN 09133060070000

Sbai, Chaden  
2 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080110000

Zakkar, M & M Al-Dallal  
6081 Keller Dr  
Burr Ridge, IL 605210000  
PIN 09133060120000

Grasso, Janet Ryan  
6030 Grant St  
Burr Ridge, IL 605270000  
PIN 09133000770000

Roy, Shannon K  
6101 Wildwood Ln  
Burr Ridge, IL 605210000  
PIN 09133070010000

Pembroke, John J  
422 N Northwest Hwy  
Park Ridge, IL 605210000  
PIN 09133030010000

Campbell, Katherine & D  
6120 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133070050000

Monteleone, Anne  
9 Andrew Ct  
Burr Ridge, IL 605210000  
PIN 09133080160000

Zarcone Trustee, Donna  
6002 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000830000

Cleary, Joseph & Laurie  
578 W 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010440000

Shanahan, Joseph E F  
6100 S Madison St  
Burr Ridge, IL 605270000  
PIN 09133001000000

Mc Girr, Kevin & Marilou  
567 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010410000

Sabbagh, Haissam & Lama  
2 Andrew Ct  
Burr Ridge, IL 605210000  
PIN 09133080230000

Utigard, Philip R & Becki  
6235 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133030020000

Wagner, Robert & Cynthia  
7 Clubside Ct  
Burr Ridge, IL 605210000  
PIN 09133080040000

Kelly, Leo K & Michelle  
9 Clubside Ct  
Burr Ridge, IL 605270000  
PIN 09133080270000

Krzyston, Michael  
6001 Grant St  
Burr Ridge, IL 605210000  
PIN 09133010550000

Doshi, Salil & Bijal  
675 Grant Ct  
Burr Ridge, IL 605210000  
PIN 09133000910000

Luchette, Fred & Barbara  
655 Grant Ct  
Burr Ridge, IL 605210000  
PIN 09133000900000

Strumillo, Donald & V  
7020 High Grove Blvd  
Burr Ridge, IL 605210000  
PIN 09133010560000

Harris Bank Hinsdale  
574 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010450000

Mar, Maxine L  
6171 Wildwood Ln  
Burr Ridge, IL 605270000  
PIN 09133070020000

Mao, Kun Yuan  
6116 Woodcreek Dr  
Burr Ridge, IL 605270000  
PIN 09133010530000

Ruth Lake Country Club  
6200 S Madison St  
Hinsdale, IL 605210000  
PIN 09144000030000

Stewart, John & Gayle  
5 Andrew Ct  
Burr Ridge, IL 605210000  
PIN 09133080140000

De Geer, Randall & Tara  
6050 Grant St  
Burr Ridge, IL 605270000  
PIN 09133000350000

Gasper, William R & M A  
6200 S Madison St  
Burr Ridge, IL 605270000  
PIN 09133000140000

Malec, Michael  
549 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010400000

Boyce, Dennis W  
6107 Woodcreek Ct  
Burr Ridge, IL 605270000  
PIN 09133010500000



Sikora, Chris & Molly  
7 Norris Dr  
Burr Ridge, IL 605270000  
PIN 09133000610000

De Geer, Randall & Tara  
6050 Grant St  
Burr Ridge, IL 605270000  
PIN 09133000350000

Derkach, Olga Trustee  
570 W 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010460000

Lawton, Cassandra R  
11 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133001010000

Atassi, Sami & R Bacha  
7 Andrew Ct  
Burr Ridge, IL 605270000  
PIN 09133080150000

Kinnas, Spero & Anastasia  
539 60Th Pl  
Burr Ridge, IL 605210000  
PIN 09133010390000

Shanahan, Joseph E F  
6100 S Madison St  
Willowbrook, IL 605270000  
PIN 09133000970000

Renald Iii, George J  
6256 Wildwood Ln  
Burr Ridge, IL 605590000  
PIN 09133060050000

Petrole, Judith R  
6196 Wildwood Ln  
Burr Ridge, IL 605210000  
PIN 09133060030000

Bruns, Thomas & Teresa  
6235 Wildwood Ln  
Burr Ridge, IL 605210000  
PIN 09133060080000

Mrozek, Patricia A Tr  
630 Grant Ct  
Burr Ridge, IL 605270000  
PIN 09133000950000

Robbins, Craig  
6055 S Madison St  
Burr Ridge, IL 605275166  
PIN 09133000860000

Thornton, Michael & E  
6004 S Grant St  
Burr Ridge, IL 605210000  
PIN 09133000320000

Schmidt, Sue F  
8 Andrew Ct  
Burr Ridge, IL 605210000  
PIN 09133080200000

Mendi, Ramit  
6100 S Grant St  
Burr Ridge, IL 605270000  
PIN 09133000360000



 **NOTICE**  
There will be a public hearing  
to consider zoning changes or  
approvals for this property.  
For further information,  
please call or visit:  
Burr Ridge Village Hall  
7660 County Line Road  
(630) 654-8181  
Petition Number: V-04-2021  
Further details are available at:  
[www.burr-ridge.gov](http://www.burr-ridge.gov)





**From:** [Deepika Batra](#)  
**To:** [Maxine Mar](#)  
**Cc:** [Aaron Berger](#); [George Renaldi III](#); [John Kumler](#); [Judy Petrole](#); [Kathy Deady](#); [Kevin DiGiovio](#); [Peter Kavooras](#); [Ramana Yedavalli](#); [Roland Outarshingh](#); [Terry Bruns](#); [Tom Bruns](#); [Tom Caveney](#); [Evan Walter](#)  
**Subject:** Re: V-04-2021  
**Date:** Saturday, July 17, 2021 2:50:16 PM

---

We fully support this request as well. Safety of the all in the community is immensely important.

Best regards,  
Kevin and Deepika DiGiovine  
6101 Wildwood Ln, Burr Ridge, IL 60527

On Sat, Jul 17, 2021 at 3:46 PM Maxine Mar <[maxinemar3@gmail.com](mailto:maxinemar3@gmail.com)> wrote:

I sent a copy of the village letter to wood creek residents. They are also concerned. We do not live on the cul de sac but have witnessed the flooding issues.

Maxine and Calvin Mar

On Sat, Jul 17, 2021 at 2:31 PM Aaron Berger <[abergerca@yahoo.com](mailto:abergerca@yahoo.com)> wrote:

I would second the concern of Mr. Bruns. While my home is not on the cul de sac, I have seen multiple times the flooding that occurs in the cul de sac from heavy rain and it is significant. Losing extra land for drainage and absorption could be detrimental.

Aaron Berger  
6185 Wildwood Ln

Sent from my iPhone

On Jul 17, 2021, at 2:20 PM, Tom Bruns <[tvbruns@gmail.com](mailto:tvbruns@gmail.com)> wrote:

Mr. Walter,

I am writing this note as a public record to express my strong desire not to grant a waiver for 6100 Grant Street that would exceed the floor area ratio in excess of 20%.

Our house is in the Wildwood development. The lot at 6100 is at a higher elevation than Wildwood and drains from the back and the front directly into the Wildwood development. Currently, during heavy rains, the streets of our cul-de-sac are not passable. It is not unusual for the streets to have water in excess of 12 to 24 inches. This has been historically at least an annual occurrence and with the current changes in climate, Wildwood has experienced this more than annually. We have already experienced this in 2021. We have had a case where a car has been totaled during a rainfall as one of our neighbors was trying to exit.

The ratio of floor space to lot was established in part, if not solely to allow for

adequate drainage. Allowing this variance will only push more water into our development and further prevent the residents from exiting during heavy rains. This presents not only potential damage to homes, cars and landscaping, but presents the very real danger of a blocked exit in the case of a medical emergency.

Please do not grant this waiver for our safety.

--

**Tom Bruns**

630.730.8733 mobile

630.887.7682 home

**From:** [Peter Kavooras](#)  
**To:** [Evan Walter](#); [tvbruns@gmail.com](mailto:tvbruns@gmail.com)  
**Subject:** 6100 Grant St.  
**Date:** Monday, July 19, 2021 11:42:20 AM

---

Mr. Walter .

My family and I reside at 6206 Wildwood Lane. We have lived in this subdivision for the last 16 years. Flooding has always been a serious issue for us. It was our 450 GL Benz Suv. That went for a boat ride down Wildwood. I mention this because the ride height on a 450 GL is rather substantial and the water was over the wheel wells. This 6500 lb. car literally floated down the street. No tow truck would venture into the water to get it out. It took several hours for the water to recede enough to finally get it towed to safety. Anything that increases the severity or puts increased strain on the current flooding situation and carries only additional financial hardship for all the current owners living on Wildwood. Has to be a non starter.

Regards,  
Peter Kavooras

**From:** [John Kumler](#)  
**To:** [Evan Walter](#)  
**Cc:** [Maxine Mar](#); [Tom Bruns](#)  
**Subject:** Re: V-04-2021  
**Date:** Monday, July 19, 2021 10:33:52 AM

---

Good Morning Mr. Walter

My wife and I also are in support of a denial of the request to exceed the FAR rule for the noted property. Our home at 6151 Keller Drive backs up to the creek that this property would eventually drain into and would continue to exacerbate the flooding situation we experience with even small amounts of rain.

The building of homes over the past years upstream, has increased the run off and as Mr. Bruns points out, flooding does occur on a more regular basis. For these reasons we support the denial of the FAR exception under consideration.

Sincerely,  
John & Leslie Kumler  
6151 Keller Drive  
Burr Ridge

On Mon, Jul 19, 2021, 8:07 AM Evan Walter <[EWalter@burr-ridge.gov](mailto:EWalter@burr-ridge.gov)> wrote:

Thank you to all who submitted public comment regarding this public hearing. Your responses will be noted in the Plan Commission's packet and staff report.

photograph



***Evan Walter***

Interim Village Administrator - Village of Burr Ridge

email: [ewalter@burr-ridge.gov](mailto:ewalter@burr-ridge.gov)

phone: (630) 654-8181 ext. 2000 | mobile: (630) 601-0042

7660 County Line Road Burr Ridge, Illinois 60527

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[www.burr-ridge.gov](http://www.burr-ridge.gov)

**From:** Deepika Batra <[deepika.batra@gmail.com](mailto:deepika.batra@gmail.com)>

**Sent:** Saturday, July 17, 2021 2:50 PM

**To:** Maxine Mar <[maxinemar3@gmail.com](mailto:maxinemar3@gmail.com)>

**Cc:** Aaron Berger <[abergerca@yahoo.com](mailto:abergerca@yahoo.com)>; George Renaldi III <[Gjrenaldi3@gmail.com](mailto:Gjrenaldi3@gmail.com)>; John Kumler <[john.kumler2011@gmail.com](mailto:john.kumler2011@gmail.com)>; Judy Petrole <[jpetrole@comcast.net](mailto:jpetrole@comcast.net)>; Kathy Deady <[kdeady327@gmail.com](mailto:kdeady327@gmail.com)>; Kevin DiGiovio <[kdigiovio@yahoo.com](mailto:kdigiovio@yahoo.com)>; Peter Kavooras <[Pkavooras@comcast.net](mailto:Pkavooras@comcast.net)>; Ramana Yedavalli <[ryedavalli@gmail.com](mailto:ryedavalli@gmail.com)>; Roland Outarshingh <[routarsingh@me.com](mailto:routarsingh@me.com)>; Terry Bruns <[teresabrunsgmail.com](mailto:teresabrunsgmail.com)>; Tom Bruns <[tvbruns@gmail.com](mailto:tvbruns@gmail.com)>; Tom Caveney <[tomcaveney@hotmail.com](mailto:tomcaveney@hotmail.com)>; Evan Walter <[EWalter@burr-ridge.gov](mailto:EWalter@burr-ridge.gov)>

**Subject:** Re: V-04-2021

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--

**Tom Bruns**

630.730.8733 mobile

630.887.7682 home





**Z-11-2021: Requests text amendments to Section IV.W of the Zoning Ordinance related to noise standards.**

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

**Prepared by:** Evan Walter – Village Administrator

**Date of Hearing:** August 2, 2021

The petitioner is the Village of Burr Ridge. The petitioner seeks to amend Section IV.W of the Zoning Ordinance related to noise standards. The Village is seeking to review and potentially establish alternate performance standards related to the emission of noise from one property or zoning district to another.

**Current Zoning Regulations**

The Village employs a highly-technical measurement system to regulate and measure the transmission of sound, most notably employing the American National Standards Institute's (ANSI) standards in many cases. The prescribed decibel level is dependent on an Octave Band Center Frequency (Hertz) rating, meaning that as the Hertz increases, the allowable decibel level decreases. The Village also separates noise levels between a day/night standard of hours, defined as 7:00am-7:00pm (day) and 7:00pm-7:00am (night); decibel levels are prescribed to be about 15% lower during night hours than day hours. Finally, the performance standards of the Zoning Ordinance are limited to transference of sound from Manufacturing Districts to Residential and Business Districts.

Section IV.W.1.b of the Zoning Ordinance states:

*No person shall cause or allow the emission of sound beyond property lines so as to cause noise pollution (violating any applicable standards established by the Illinois Environmental Protection Agency) or a nuisance in Burr Ridge, or so as to violate any provisions of this Ordinance.*

The IEPA's regulations define different categories of land using a similar Hertz/decibel rating system to determine the level of noise that may be transferred. The IEPA has since ceased all enforcement of their own noise standards. In summary, the noise standards in the Zoning Ordinance are technical and challenging for the lay person to interpret without training and specialized equipment.

**Proposed Zoning Amendments**

If the Plan Commission were to recommend that the Village move away from the current performance standards related to noise, staff proposes that a “Plainly Audible” approach be considered. A “Plainly Audible” approach to noise regulation measures excessive sound not by Hertz ratings or by excessive decibels, but through the prohibition of any sound which can be deemed to be excessively loud by interpretation of a human being hearing the noise and confirmed by a third party, such as a Police officer, code compliance employee, or other such authorized Village representative.

If the Plainly Audible approach were implemented, noise standards would be defined and abated in the following manner:

Definitions

*Amplification Device. Any speaker, loudspeaker, amplifier, stereo, radio, television, or other device or system of any kind that can emit, increase, or magnify sound.*

*Continuous Period. Noise which is sustained for at least 60 seconds in duration, either without any interruption whatsoever or repetitive with brief interruptions, such as an animal barking.*

*Day Hours. 7:00am-10:00pm*

*Night Hours. 10:00pm-7:00am*

*Noise Pollution. The emission of sound that unreasonably interferes with the enjoyment of life or with any lawful business activity.*

*Plainly Audible. Any sound that can be detected by a person by ear, unaided by any device such as hearing aid. A sound is considered plainly audible regardless of whether particular words or phrases are not determinable and regardless of whether the instrument or device can be determined. The detection of reverberation or similar types of sound is sufficient to constitute a Plainly Audible sound.*

*Sound. An oscillation in pressure in air.*

Noise Pollution Prohibited

*No person may cause or allow Noise Pollution within the corporate limits of the Village.*

Noise Standards for Public Property

- A. Authority to Abate Violations. The Village Administrator or their designee is authorized to determine violations of this Section and, in the event of Noise Pollution or other violation, take reasonable actions necessary to abate the violation.*
- B. Performances on Public Property, Ways Prohibited. No person may perform, with or without musical instruments, on any street, sidewalk, public right of way, or publicly owned property while seeking or in expectation of a monetary gift or payment.*

- C. Advertisements. No person, business, or other entity may use a sound amplification device for the purpose of advertising or announcing goods or services, or to invite or encourage the patronage of any person or any business in such a way as to be plainly audible on any street, sidewalk, public right of way, or publicly owned property.*
- D. Attention-Getting Devices. No person or other entity may operate or cause to be operated, on any street, sidewalk, public right of way, or publicly owned property any attention-getting device such as, but not limited to, sound amplification, mechanically-operated, inflatable, noise-generating, or other device for the purpose or effect of attracting attention.*

Noise Standards for Private Property

- A. Residential Land. Residential Land includes land classified as R-1, R-2, R-2A, R-2B, R-3, R-4, R-5, R-6, T-1, and T-2 Districts. The noise standards for Residential Land include:*
  - a. During Day Hours. No person may cause or allow the emission of sound from any Residential Land during Daytime Hours in such a manner as to be Plainly Audible for a continuous period of one minute or more at a distance of 50 feet from the location of the noise source.*
  - b. During Night Hours. No person may cause or allow the emission of sound from any Residential Land during Night Hours in such a manner as to be Plainly Audible for a continuous period of one minute or more at a distance of 15 feet from the location of the noise source.*
- B. Commercial Land. Commercial Land includes land classified as B-1, B-2, R-A, L-I, G-I, O-1, and O-2 Districts. The noise standards for Commercial Land include:*
  - a. During Day Hours. No person may cause or allow the emission of sound from any Commercial Land during Day Hours to any receiving Residential or Commercial Land in such a manner as to be Plainly Audible for a continuous period of one minute or more at a distance of 33 feet as measured 1) from the building in which the noise is generated when the noise source is located inside the building and 2) from the location of the noise source when the noise source is located outside.*
  - b. During Night Hours. No person may cause or allow the emission of sound from any Commercial Land during Night Hours to any receiving Residential or Commercial Land in such a manner as to be Plainly Audible for a continuous period of one minute or more at a distance of 10 feet as measured 1) from the building in which the noise is generated when the noise source is located inside the building and 2) from the location of the noise source when the noise source is located outside.*
- C. Mechanical, Heating, or Cooling Equipment in Residential Land. It is a violation of this Section for any mechanical, heating, or cooling equipment on any land to emit noise that is Plainly Audible from a distance of 50 feet for a duration of one minute.*

Exceptions

*The standards and limitations set forth in this Chapter do not apply to the following:*

- A. Trains on rails.*
- B. Emergency warning sirens i.e. those found on vehicles or mounted on public buildings.*
- C. Snow plows or other snow- and ice-clearing equipment.*
- D. Landscaping equipment during Day Hours.*
- E. Noises associated with religious activities, such as bells and chimes.*

- F. Events such as concerts, running races, and similar such events that are approved by either the Village Administrator or Village Board of Trustees*
- G. Equipment used for construction.*
- H. Garbage and recycling trucks.*
- I. Government, utility, and other such vehicles in operation in service of the Village or its constituents.*

#### Penalty

*Any person, firm, or corporation who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any of the provisions of this Section shall, upon conviction, be fined not less than \$100.00 nor more than \$750.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.*

#### Summary

The Plainly Audible approach rescinds any decibel rating system and replaces the standards with that of a reasonable person interpreting noise to determine if the noises are Plainly Audible. Some common examples of Plainly Audible noise are as follows:

- Dog barking in yard
- Loud outdoor music at a restaurant
- Loud party

In the case of enforcement, the Village already practices something of a Plainly Audible approach to remedying noise which is deemed excessively loud through a courtesy request by a Police officer. If a call for a dog barking were received, an officer would make a courtesy request of the dog's owner to bring the animal inside. In many cases, a violating party complies with an officer's request, and the matter is resolved without further adjudication. However, this approach would now empower the officer or other agent of the Village to determine that a Plainly Audible noise is occurring and assign a citation if the noise 1) was deemed to be Plainly Audible and 2) the violating party did not comply with a courtesy request. In local adjudication, the testimony of the officer or agent of the Village is sufficient to prove finding of "liable", especially if a third-party complaint were first received ahead of the call.

#### Findings of Fact and Recommendation

The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if the amendments fulfill the purpose and intent of the Zoning Ordinance.

#### Appendix

Exhibit A – Petitioner's Materials



In order to minimize adverse visual impacts associated with the proliferation of towers, co-location of antennas by more than one provider on existing or new towers and location of antennas on existing buildings or structures, shall take precedence over the construction of new, freestanding towers. If a new, freestanding tower is proposed, special use approval shall not be granted unless the applicant demonstrates compliance with the following:

- a. A diligent effort has been made to locate the antenna on an existing structure and that, due to valid considerations, including physical constraints and economic or technological feasibility, no other appropriate location is available.
- b. Covenants shall be recorded which require that the applicant allow, on a commercially reasonable basis, other providers of Personal Wireless Service Facilities and other antennas to co-locate on the proposed freestanding tower, where such co-location is technologically feasible.
- c. The site plan for the construction of a new, freestanding tower shall delineate an area near the base of the tower to be used for the placement of additional equipment and buildings for other users.

**8. Abandonment of Towers or Antennas**

In the event the use of a tower or antenna is discontinued for a period of 60 consecutive day, the tower or antenna shall be deemed to be abandoned. The Community Development Director shall determine the date of abandonment based on documentation required from the tower owner/operator or other appropriate sources. Upon abandonment, the tower owner/operator shall have an additional 60 days within which to:

- a. Reactivate the use of the tower either by said owner/operator or transfer of the tower to another owner/operator for such use within the aforesaid 60-day period. Transfer of the tower to another owner/operator shall not require special use approval provided use of the tower is re-activated within the 60-day period and that the use of the tower complies with all conditions of the original special use approval and the terms of this Ordinance.
- b. Dismantle and remove the tower, at which time, any special use shall become null and void.
- c. Request approval from the Board of Trustees to allow the abandoned tower or antenna to remain for a specified period of time. If said approval is granted, the tower shall be reactivated or removed within the time period approved by the Board of Trustees as per the regulations herein. (Amended by Ordinance A-834-9-97)

**W. PERFORMANCE STANDARDS**

Any use established in any district shall be so operated as to comply with the performance standards as set forth hereinafter. Established uses other than legal, nonconforming uses subject to the regulations of Section XII may be altered, enlarged, expanded or modified provided that the additions or changes comply with said performance standards. (Amended by Ordinance A-834-5-10)



1. **Noise**

a. **Definitions** - (All definitions of acoustical terminology shall be in conformance with those contained in *ANSI S1.1-1994 (R2004)* "Acoustical Terminology" and the latest revisions thereof or any replacement thereto).

- (1) **A-weighted Sound Level:** 10 times the logarithm to the base 10 of the square of the ratio of the A-weighted (and time-averaged) sound pressure, to the reference sound pressure of 20 micropascal. The frequency and time weighting must be specified in accordance with ANSI-S1.4-1983 (R2006) "American National Standard for Sound Level Meters" and the latest revision thereof. The unit of sound level is the decibel (dB) with the letter (A) appended to the decibel unit symbol to indicate the frequency weighting and written dB(A).
- (2) **ANSI:** American National Standards Institute, or its successor bodies.
- (3) **Construction:** On-site erection, fabrication, installation, alteration, demolition or removal of any building or structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth-moving, blasting, and landscaping.
- (4) **Daytime Hours:** 7:00 A.M., to 7:00 P.M., local time.
- (5) **dB(A):** See "A-weighted Sound Level" in decibels.
- (6) **Decibel (dB):** A unit of measure, on a logarithmic scale to the base 10, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which, for purposes of this regulation, shall be 20 micronewtons per square meter ( $\mu\text{N/m}^2$ ) *or 20 micropascals ( $\mu\text{Pa}$ )*.
- (7) **Discrete tone:** a sound wave whose instantaneous sound pressure varies essentially as a simple sinusoidal function of time.
- (8) **Fast Dynamic Characteristic:** The dynamic characteristic specified as "Fast" in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (9) **Fast Meter Response:** As specified in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (10) **Highly Impulsive Sound:** Either a single pressure peak or a single burst (multiple pressure peaks) for a duration less than one second.
- (11) **Night Time Hours:** 7:00 P.M., to 7:00 A.M., local time.
- (12) **Octave Band Sound Pressure Level:** The sound pressure level for



the sound being measured contained within the specified octave band. The reference pressure is 20 micronewtons per square meter.

- (13) **Pascal (Pa)**: A unit of pressure. One Pascal is equal to one Newton per square meter.
- (14) **Preferred Frequencies**: Those frequencies in Hertz preferred for acoustical measurements which, for the purposes of this regulation, consist of the following set of values: 20, 25, 31.5, 40, 50, 63, 80, 100, 125, 160, 200, 250, 315, 400, 500, 630, 800, 1000, 1250, 1600, 2000, 2500, 3150, 4000, 5000, 6300, 8000, 10,000, 12,500.
- (15) **Prominent Discrete Tone**: Sound, having a one-third octave band sound pressure level which, when measured in a one-third octave band at the preferred frequencies, exceeds the arithmetic average of the sound pressure levels of the two adjacent one-third octave bands on either side of such one-third band by:
  - 5 dB for such one-third octave band with a center frequency from 500 Hertz to 10,000 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;
  - 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;
  - 15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band.
- (16) **Slow Dynamic Characteristic**: The dynamic characteristic specified as "Slow" in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (17) **Sound**: A physical disturbance causing an oscillation in pressure in a medium (e.g., air) that is capable of being detected by the human ear or a sound measuring instrument.
- (18) **Sound Level (Weighted Sound Pressure Level)**: 20 times the logarithm to the base 10 of the ratio of the frequency-weighted (and time-averaged) sound pressure to the reference pressure of 20 micropascals. The frequency weighting used shall be specified explicitly (e.g., A, C, or octave band). The unit for sound level is decibel (dB).
- (19) **Sound Pressure**: the root mean square of the instantaneous sound pressures during a specified time interval in a stated frequency band. The unit for sound pressure is Pascal (Pa).
- (20) **Sound Pressure Level**: 20 times the logarithm to the base 10 of the ratio of the particular sound pressure to the reference sound



pressure of 20 micropascals. ANSI S12.9- 1988 (R1998) "American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound - Part 1," and the latest revision thereof, reserves the term sound pressure level to denote the unweighted sound pressure. The unit for sound pressure level is decibel (dB).

**b. Prohibition of Noise Pollution**

No person shall cause or allow the emission of sound beyond property lines so as to cause noise pollution (violating any applicable standards established by the Illinois Environmental Protection Agency) or a nuisance in Burr Ridge, or so as to violate any provisions of this Ordinance.

**c. Measurement Techniques**

Test procedures to determine whether emission of sound is in conformance with regulation shall be in substantial conformity with Standards and Recommended Practices established by the ANSI and the latest revisions thereof, including but not limited to:

- ANSI S1.4-1983 (R2006)/ANSI S1.4a-1985 (R2006)
- ANSI S1.6-1984 (R2006)
- ANSI/ASA S1.11-2004 (R2009)
- ANSI/ASA S1.13-2005 (R2010)
- ANSI S12.1-1983 (R2006)
- ANSI/ASA S12.9-1993/Part 3 (R2008)
- ANSI/ASA S12.18-1994 (R2009)

**d. Sound Emitted Standards and Limitations for Noise Sources**

**(1) Sound Emitted to Residential (R) Districts During Daytime Hours**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound during daytime hours from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving Residential Districts or developments and any school buildings or sites (hereinafter collectively referred to as R Districts) which exceeds the allowable octave band sound pressure level specified in Table 1, when measured at any point within such receiving R District, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.





**TABLE 1**  
**SOUND EMITTED TO ANY RECEIVING R DISTRICTS FROM A**  
**MANUFACTURING DISTRICT DURING DAYTIME HOURS**

<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R Districts from a Manufacturing District (dB) during Daytime Hours</b>
31.5	72
63	71
125	65
250	57
500	51
1000	45
2000	39
4000	34
8000	32

(2) **Sound Emitted to Residential (R) Districts During Nighttime Hours**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound during night time hours from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R District which exceeds any allowable octave band sound pressure level specified in Table 2, when measured at any point within such receiving R District, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source. In addition, where any such use in any district utilizes trucks or other vehicular equipment, such as forklifts, outside in its operations and is adjacent to residential properties, the back-up warning signals on all such trucks or other vehicular equipment shall, to the extent allowed by law, be turned off or otherwise muted during nighttime hours so as to be inaudible to the adjacent residential properties. Trucks and other vehicular equipment operated outside adjacent to residential properties shall not idle outside during nighttime hours for a period in excess of five minutes.



**TABLE 2**  
**SOUND EMITTED TO ANY RECEIVING R DISTRICTS FROM A**  
**MANUFACTURING DISTRICT DURING NIGHTTIME HOURS**

<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R Districts from a Manufacturing District (dB) during Nighttime Hours</b>
31.5	63
63	61
125	55
250	47
500	40
1000	35
2000	30
4000	25
8000	25

**(3) Sound Emitted to Business (B) Districts**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in a Manufacturing District to any receiving Business (B) District (hereinafter referred to as B District) which exceeds any allowable octave band sound pressure level specified in Table 3, when measured at any point within such receiving B Districts, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.

**TABLE 3**  
**SOUND EMITTED TO ANY RECEIVING B DISTRICTS FROM A**  
**MANUFACTURING DISTRICT**

<b>Octave Band Center Frequency (Hertz)</b>	<b>Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving B Districts from a Manufacturing District (dB)</b>
31.5	79
63	78
125	72
250	64
500	58
1000	52
2000	46
4000	41
8000	39



(4) **Sound Emitted to Research Assembly (RA), Light Industrial (LI), and General Industrial (GI) Districts**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in the RA, LI, and GI Districts to any receiving neighboring lot in the RA, LI, and GI Districts which exceeds any allowable octave band sound pressure level specified in Table 4 when measured at any point within such receiving lot, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.

**TABLE 4**  
**SOUND EMITTED TO ANY RECEIVING RA, LI, OR GI**  
**DISTRICT FROM A MANUFACTURING DISTRICT**

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving RA, LI, or GI Districts from a Manufacturing District (dB)	
	RA or LI Receiving District	GI Receiving District
31.5	79	80
63	78	79
125	72	74
250	64	69
500	58	63
1000	52	57
2000	46	52
4000	41	48
8000	39	45

(5) **Highly Impulsive Sound**

No person shall cause or allow the emission of impulsive sound from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R or B District or RA, LI or GI District lots which exceeds the allowable dB (A) sound level specified in Table 5, when measured at any point within such receiving R or B District or RA, LI, GI District lot, provided, however, that no measurement of sound levels shall be made less than 25 feet from the noise source.



**TABLE 5**  
**HIGHLY IMPULSIVE SOUND**

Allowable (A-weighted) Sound Levels of Impulsive Sound Emitted From Manufacturing Districts or from any noise source by a use in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to designated classes for receiving uses			
RA & LI Districts	GI District	B Districts	R Districts
57	61	50	45

**(6) Prominent Discrete Tones**

(a) No use shall cause or allow the emission of any prominent discrete tone from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R or B District or neighboring RA, LI, or GI lot provided, however, that no measurement of one-third octave band sound pressure levels shall be made less than 25 feet from such noise source.

(b) This rule shall not apply to prominent discrete tones having a one-third octave band sound pressure level 10 or more dB below the allowable octave band sound pressure level specified in the applicable tables in subsection "d" through subsection (1) through (4) of this subsection C.1 for the octave band which contains such one-third octave band.

**e. Exceptions**

- (1) Subsection "d" of this subsection C.1 inclusive shall not apply to sound emitted from emergency warning devices and unregulated safety relief valves.
- (2) Subsection "d" of this subsection C.1 inclusive shall not apply to sound emitted from lawn care maintenance equipment and snow blowers and similar snow removal equipment used during daytime hours.
- (3) Subsection "d" inclusive shall not apply to sound emitted from equipment being used for temporary construction between the hours of 7:00 A.M., to 7:00 P.M., of each day or as otherwise regulated under the provisions of the Building Ordinance of the Village of Burr Ridge.
- (4) Subsection "d" inclusive shall apply to sound emitted from trucks



and vehicles under the control of the property user and/or owner, including vehicles entering and leaving the property. Trucks and vehicles under the control of the property user and/or owner shall include trucks that are on the property for purposes of loading or unloading goods, whether such trucks are owned by the property user and/or owner or not. Actionable noise violations include violations caused by trucks hitting potholes or other obstacles on the property, and the shifting of gears as trucks leave, enter or drive upon the property, as well as violations caused by idling engines and trailer mounted refrigeration units.

- (5) Subsection "d" inclusive shall not apply to sound emitted from railroad facilities.

## 2. Vibration

### a. **Definitions**

- (1) **Amplitude:** The maximum displacement of the earth from the normal rest position during one period of oscillation.
- (2) **Cycle:** A complete cycle of vibration occurs when the object moves from one extreme position to the other extreme and back again.
- (3) **Discrete Impulses:** A ground transmitted vibration stemming from a source where specific pulses do not exceed 60 per minute (or one per second)
- (4) **Frequency:** The number of cycles that a vibrating object completes in one second. The unit of frequency is Hertz (Hz). One Hertz equals one cycle per second.
- (5) **Impact:** An earth borne vibration generally produced by two or more objects striking each other so as to cause separate and distinct pulses.
- (6) **Oscillation:** a regular periodic variation in value about a mean.
- (7) **Particle Velocity:** A characteristic of vibration that depends on both amplitude displacement and frequency. Particle Velocity may be measured directly or computed by multiplying the frequency by the amplitude times the factor 6.28. The particle velocity will be in inches per second. The maximum Particle Velocity shall be the maximum vector sum of the three mutually perpendicular components recorded simultaneously.
- (8) **Seismograph:** An instrument which measures vibration characteristics simultaneously in three mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.
- (9) **Steady State Vibration:** A vibration which is continuous, as from a fan, compressor, or motor.



- (10) **Vibration**: A reciprocating motion transmitted through the earth, both in *the* horizontal and vertical planes.

**b. Instrumentation**

Ground-transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three mutually perpendicular directions.

**c. Maximum Permitted Vibration Levels**

Table 6 designates the acceptable *maximum permitted particle velocities* of vibration that apply on or beyond adjacent lot lines within the manufacturing district or from any source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, and on or beyond appropriate district boundaries. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

**TABLE 6**  
**MAXIMUM PERMITTED PARTICLE VELOCITIES OF VIBRATION**

Steady-state Vibration Limits for the Manufacturing District or for any use in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products.		
Maximum Peak Particle Velocity (inches per second)		
RA, LI & Lot Lines	R. District	
	Day	Night
0.06	0.03	0.01

**d. Vibration Notes**

- (1) Night time limits shall be considered to prevail from 7:00 P.M., to 7:00 A.M., local time.
- (2) For purposes of this regulation, steady-state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute, shall be considered impact vibrations.
- (3) Railroad facilities shall be exempt from vibration limitations.

**3. Air Pollution**

In all Districts, all uses shall comply with the State of Illinois Pollution Control Board rules and regulations codified as Title 35 of the Illinois Administrative Code, Sub-Title B and as may be amended from time to time.