



**REGULAR MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
MARCH 21, 2022 - 7:00PM  
BURR RIDGE POLICE DEPARTMENT - TRAINING 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 FEBRUARY 7, 2022 MEETING MINUTES**

**III. APPROVAL OF MARCH 7, 2022 MEETING/WORKSHOP MINUTES**

**IV. PUBLIC HEARINGS**

**A. Z-04-2022: 308-312 Burr Ridge Parkway (Rovito); Special Use Amendment, Special Use, and Findings of Fact**

Requests amendment to Ordinance #A-834-10-21 to expand the subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages pursuant to section XIII.K of the Zoning Ordinance and the County Line Square Planned Unit Development (Ordinance #A-834-19-21).

**V. CORRESPONDENCE**

**A. Board Reports**

February 14, 2022

February 28, 2022 cancelled

March 14, 2022

**B. Building Reports**

January 2022

**VI. OTHER CONSIDERATIONS**

**A. Discussion to prioritize potential text amendments**

**VII. PUBLIC COMMENT**

**VIII. FUTURE MEETINGS**

**March 28, 2022 Board of Trustees**

Commissioner Stratis is the scheduled representative for this meeting.

**April 4, 2022 Plan Commission**

- **Z-05-2022:** Public hearing to re-zone 100, 130, 800 and 900 Burr Ridge Parkway (Permanent Real Estate Index Numbers 18-30-300-026-0000, 18-30-302-001-0000, 18-30-302-002-0000, 18-30-302-003-0000, and 18-30-302-004-0000) from L-I Light Industrial to B-2 General Business District.
- **Z-06-2022:** Public hearing to re-zone 745 McClintock Drive (Permanent Real Estate Index Number 18-30-303-009-0000) from L-I Light Industrial to O-2 Office and Hotel.
- **Z-07-2022:** Public hearing to re-zone 835 McClintock Drive (Permanent Real Estate Index Number 18-30-303-006-0000) from L-I Light Industrial to O-2 Office and Hotel.

**April 11, 2022 Board of Trustees**

No one is currently scheduled, but a representative is requested to attend.

**April 18, 2022 Plan Commission**

Public hearings on potential text amendments to be determined.

**April 25, 2022 Board of Trustees**

Chairman Trzupsek is the scheduled representative.

**IX. ADJOURNMENT**

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF FEBRUARY 7, 2022**

**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:** 5 – Broline, Petrich, Irwin, Stratis, and Trzupek  
**ABSENT:** 1 – Parrella

Community Development Director Janine Farrell was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES**

Commissioner Irwin clarified his comments made in relation to Z-13-2021. Commissioner Irwin supported a 10 ft. garage door facing the road, and a taller door which was side-loaded or not facing the road.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Petrich to approve the amended minutes of the November 15, 2021 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Broline, Petrich, Irwin, and Trzupek  
**NAYS:** 0 – None  
**ABSTAIN:** 1 – Stratis

**MOTION CARRIED** by a vote of 4-0 with one abstention.

**III. PUBLIC HEARINGS**

Chairman Trzupek noted that Z-01-2022 and Z-02-2022 were withdrawn by the petitioner.

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

**Z-03-2022: 15W776 North Frontage Road (Criscione); Special Uses and Findings of Fact**

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that the petitioner is Michael Criscione, owner of M&T Trucking located at 15W776 North Frontage Rd. The petitioner is requesting permanent special uses for (1) automobile and truck and equipment sales, rental, and service; and (2) outdoor, overnight storage of retail vehicles ancillary to a permitted or special use. The petitioner was previously approved in 2020 for the two special uses, with the outdoor storage

request as temporary in nature, lasting one year. The truck sales special use is included in this request in case conditions need to be updated. The property is zoned G-I/General Industrial, is 0.83 acres, and has 28 truck parking spaces. Mrs. Farrell reviewed the previously approved truck sales special use conditions. Conditions #4, #5, and #6 were completed. For condition #7, DuPage County Division of Transportation did not recommend extending the curb along Madison St. since it would restrict future users of the property. For the outdoor storage special use condition #3, aerial imagery shows that more than 14 trucks have been parked on the property at any one time. Condition #8 may be removed if the Commission recommends this as a permanent special use.

Chairman Trzupsek asked if staff received any complaints regarding the property. Mrs. Farrell stated that staff has not.

Chairman Trzupsek asked if the petitioner was present and wished to speak. Michael Criscione stated that there have been instances of more than 14 trucks on the property due to circulating inventory. Mr. Criscione stated that he has invested significantly in improving the property and received compliments from Burr Ridge residents.

Chairman Trzupsek asked for public comment. None was given.

Commissioner Stratis reviewed the conditions and stated that he wished to retain the gate and fence conditions but that the landscaping condition was completed satisfactorily. Commissioner Stratis questioned the curb cut and whether the recommendation came from the petitioner or DuPage County. Mrs. Farrell confirmed that this recommendation to retain the curb cut was from DuPage County DOT. Commissioner Stratis recommended a condition that the applicant cannot park cars in the right of way. Commissioner Stratis supported allowing more than 14 trucks parked on site during operating hours only and granting permanent approval of the special use requests.

Commissioner Broline noted non-compliance with the number of trucks parked on site. Commissioner Broline supported more than 14 trucks but was sensitive to the Board's review of the compliance issue. Commissioner Broline questioned if there were any trucks not owned by the petitioner parked on site. Mr. Criscione stated there were not and all the trucks are inventory. Mr. Criscione requested that the number of trucks be increased from 14 but would comply if the amount remained unchanged. Commissioner Broline asked about the landscape plan. Mrs. Farrell stated she would have to verify if the landscaping installed complied with the submitted plan. Chairman Trzupsek stated he did not recall reviewing a landscaping plan. Commissioner Broline desired to see more of a landscape barrier or screening along Madison St. Mr. Criscione was amenable to planting more trees and shrubs in that area. Commissioner Stratis recalled from the previous petition that there were concerns about safety and theft if there was an abundance of landscaping obscuring view into the property.

Commissioner Petrich agreed with the previous comments made. Commissioner Petrich noted that the lighting is intense and asked about the night vision cameras which were discussed in 2020 and supposed to be installed. Mr. Criscione stated that he put up strong lighting but later worked with staff to redirect the lighting to prevent glare. Mr. Criscione had multiple security camera companies come to the property, but the night vision cameras were unable to function properly which is why the bright lighting was installed. Commissioner Petrich requested a condition be

added to have staff review the lighting and ensure compliance with the Zoning Ordinance regulations. Commissioner Petrich supported increasing the number of trucks parked on the site but did not want them parked there on the weekends. Mr. Criscione explained the sales process where sold trucks may remain on the property waiting for parts, but no maintenance occurs on site. Commissioner Petrich commented that previously the process was described as once the vehicles were sold, they were transported to the site for a brief period waiting for pick-up only.

Commissioner Irwin remarked that this location was supposed to be a “white glove” office where customers completed final paperwork and picked-up the trucks, but the plan has changed and now trucks are sitting on the property for an extended period. Commissioner Irwin has witnessed more than 14 trucks regularly parked on site which shows the petitioner ignored the condition for a year. Commissioner Irwin stated that the intent to close off Madison St. was to create a buffer, but the petitioner is now parking cars there which makes the area look worse than if it was just a driveway. Commissioner Irwin agreed about the landscaping and lighting comments, and that the Commission did not receive straight answers in 2020. Commissioner Irwin was not in favor of approving the requests.

Chairman Trzupek asked how the number 14 was reached. Mr. Criscione stated that it was an agreed upon number at the time. Chairman Trzupek supported increasing the amount to a number between 14 and maxing out at the 28 spaces available. Chairman Trzupek asked why the cars were parked in the right of way along Madison St. Mr. Criscione stated it was an available space and they were unaware they could not do so. Chairman Trzupek noted the Fire District’s request to limit the number of trucks. Mr. Criscione stated that the Fire District requested no trucks be parked in the middle of the site. Chairman Trzupek requested conditions be added which prohibited parking in the center of the lot and along Madison St. Chairman Trzupek stated that the landscaping along Madison St. is too sparse and requested a landscape plan be reviewed by staff to ensure it looks more finished along the road. Chairman Trzupek noted the landscaping should be inside the fence and that there may be opportunity to add planter boxes along the closed off driveway. Chairman Trzupek requested that lighting be reviewed by staff to ensure it meets code requirements and that shields be added if needed to block the light source. Mr. Criscione stated that he worked with staff on the lighting but is happy to go back and have it reviewed. Chairman Trzupek supports the special uses be granted on permanent basis with conditions on the number of trucks, lighting, and landscaping.

Commissioner Petrich read from the petitioner’s business plan. Mr. Criscione stated that it is difficult to define a business plan and adjustments need to be made. Mr. Criscione stated that the condition regarding limiting the trucks to be parked on site for seven consecutive days is not being followed due to the pandemic. Mr. Criscione stated that while the trucks are sent to satellite repair shops for maintenance, parts are delayed with supply chain issues and it is often difficult to move trucks in and out within seven days. Mr. Criscione stated that there may be a delay in delivery due to a sensor or other parts on backorder, so the truck sits at the site instead of the maintenance shop.

Commissioner Stratis was empathetic and understood unprecedented delays in these unusual times. Commissioner Stratis stated that the site is in an industrial district with other trucks and supports the business.

Chairman Trzupek agreed with Commissioner Stratis and supported making the special uses permanent with revised conditions regarding the number of trucks, parking on Madison St., lighting, and landscaping.

Commissioner Stratis proposed a twenty truck limit which is 5/8<sup>th</sup> of twenty-eight. This would allow for more cars, not trucks, to be parked on site. Commissioner Stratis asked about the 'X' in the center of the lot. Mr. Criscione said it was a display spot which allowed for customers to walk around the truck before taking possession.

Chairman Trzupek asked about the supply chain issues and if over 14 trucks on the site is a permanent situation. Mr. Criscione would like to have more trucks on site on a permanent basis even though the goal is to move the trucks on and off the site as quickly as possible.

Commissioner Broline stated that he is familiar with servicing machinery and has not witnessed anything like that occurring on the property. Mr. Criscione confirmed that no maintenance occurs on the site.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Petrich to close the public hearing for Z-03-2022.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 –Broline, Petrich, Irwin, Stratis, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

Commissioner Petrich requested more discussion and to add a condition for the outdoor storage special use that it is temporary, for one year only.

Chairman Trzupek asked for motions on the requests for either a temporary or permanent basis.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to recommend that the Board approve a permanent special use for automobile and truck and equipment sales, rental, and service, subject to the following conditions:

1. The special use shall be limited to Michael Criscione and his business partners at M&T Trucks, subject to the submitted business and site plan included as Exhibit A.
2. The special use shall expire if M&T Trucks ceases operations at 15W776 North Frontage Road.
3. No ramps, balloons, copy-changing signs, signs on or inside any part of a truck stored on the subject property, or other attention-getting devices not otherwise permitted by the Burr Ridge Sign Ordinance are permitted on the subject property. These conditions shall supersede any otherwise permitted exemptions provided by Chapter 55 of the Burr Ridge Municipal Code (Sign Ordinance).
4. No maintenance of trucks shall be performed on the subject property.

5. No rental of vehicles of any kind may be advertised or occur on the subject property.
6. No trailers or other accessories may be parked or stored at any time on the subject property.
7. The business hours shall be 9:00am-5:00pm from Monday-Friday, 9:00am-12:00pm on Saturday, and closed on Sunday.
8. No storage of vehicles not owned by either M&T Trucks or a secured buyer for a vehicle is permitted on the subject property.
9. A landscaping plan shall be prepared and approved by staff to increase the screening along Madison Street.
10. A photometric plan shall be prepared and approved by staff to ensure compliance with Zoning Ordinance outdoor lighting regulations.
11. No more than twenty (20) semi-truck cabs shall be stored on site at any one time. All trucks shall be parked in a striped parking space. Trucks shall not be parked or stored in the open, center area of the parking lot.
12. Vehicles parked in the right-of-way driveway areas are prohibited.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Stratis, Broline, Petrich, and Trzupsek  
**NAYS:** 1 – Irwin

**MOTION CARRIED** by a vote of 4-1.

Discussion amongst the Commission occurred regarding whether to grant the outdoor storage special use on a temporary basis and if the new conditions from the truck sales special use should be added to this request. The Commissioners generally agreed to add the lighting, landscaping, number of trucks, and parking in the right of way conditions to the outdoor storage special use, and to make the use temporary. Commissioner Petrich preferred to leave the condition limiting the trucks on site to seven consecutive days. Mr. Criscione explained the business process and preferred that condition removed but agreed to limit the number of trucks. Commissioner Broline did not support the seven day limitation and other Commissioners agreed to remove that condition.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to recommend that the Board approve a special use for outdoor, overnight storage of retail vehicles ancillary to a permitted or special use, subject to the following conditions:

1. The special use shall be limited to Michael Criscione and his business partners at M&T Trucks, subject to the submitted business and site plan included as Exhibit A.
2. The special use shall expire if M&T Trucks ceases operations at 15W776 North Frontage Road.
3. No more than twenty (20) semi-truck cabs shall be stored on site at any one time. All trucks shall be parked in a striped parking space. Trucks shall not be parked or stored in the open, center area of the parking lot.
4. Any truck stored overnight on the subject property shall be in good working condition.
5. No maintenance of trucks shall be performed on the subject property.
6. No trailers or other accessories may be parked or stored at any time on the subject property.

7. A landscaping plan shall be prepared and approved by staff to increase the screening along Madison Street.
8. A photometric plan shall be prepared and approved by staff to ensure compliance with Zoning Ordinance outdoor lighting regulations.
9. Vehicles parked in the right-of-way driveway areas are prohibited.
10. The special use shall be temporary in nature, expiring one year after final ordinance approval is granted by the Board of Trustees.

**ROLL CALL VOTE** was as follows:

**AYES:** 3 – Stratis, Broline, and Trzupek  
**NAYS:** 2 – Irwin and Petrich

**MOTION FAILED** by a vote of 3-2. Four affirmative votes were required to approve.

Mr. Criscione explained that the seven day limitation was placed on the special use to prevent the parking of trucks by private individuals paying him for long-term storage. Mr. Criscione suggested that the wording could state only inventory is allowed on site.

#### **IV. CORRESPONDENCE**

Chairman Trzupek asked if there were any comments on the Board or Building Reports. There were none.

#### **V. OTHER CONSIDERATIONS**

##### **PC-01-2022: Annual Zoning Review**

Chairman Trzupek asked for a summary. Mrs. Farrell explained the report has a list of cases reviewed and actions taken by the Plan Commission and Board. The report also has several items which were directed by the Board to the Plan Commission.

Mrs. Farrell stated that the definition of an attached garage was discussed by the Commission at a previous meeting where the petitioner was requesting a text amendment to allow a garage in the side yard. The Commission generally agreed to pursue this potential text amendment. Chairman Trzupek requested staff to bring this before the Board so the Plan Commission can receive official direction and that research on neighboring municipalities be provided on the topic.

Mrs. Farrell explained that short-term rentals were discussed briefly in 2019. At the November 22, 2021 Board meeting, the Commission received direction to hold a public hearing on this topic. The Zoning Ordinance does not have a definition or use listed for short-term rentals, and the use of a single-family residential home as a short-term rental property violates the Zoning Ordinance since it is not a home occupation. The Commissioners agreed that the short-term rental use should be defined, examined if it should be permitted, and if permitted, what the regulations should be.



Mrs. Farrell stated that the Commission received direction by the Board to review right-of-way sign regulations on June 28, 2021. While there are existing regulations, they could be made clearer for the benefit of the public and Village enforcement. Chairman Trzupek noted that this was addressed previously, but enforcement is difficult. Commissioner Broline discussed real estate signs and restrictions on how long these types of signs are permitted to be posted. The Commissioners generally agreed to hold a public hearing if it is clear which provisions need to be amended.

Mrs. Farrell stated that the Commission received direction by the Board to review commercial vehicle parking regulations in residential districts on June 28, 2021. While there are regulations pertaining to this, the issue is the definition of what a commercial vehicle is, specifically that “auxiliary equipment such as racks or boxes” defines a vehicle as commercial. Mrs. Farrell stated that a personal truck with a storage box built in is technically a commercial vehicle even though it may not be used as such. The Commissioners discussed the regulation of allowing commercial vehicles parked inside. The Commissioners generally agreed to review this regulation.

Chairman Trzupek asked if there were any additional items that needed to be researched further. There were none.

## **VI. PUBLIC COMMENT**

Mark Thoma, 7515 Drew, had items that he wished the Commission to review.

- Mr. Thoma was concerned about the grandfathering of properties and mentioned the Montessori school building expansion. Mr. Thoma questioned at what point does the building need to meet current standards. Chairman Trzupek stated that the school received special use and variation approval for the development, but some nonconformities were permitted to continue. Commissioner Stratis explained that when a building changes use, certain things are required to be brought to today’s standards. Mrs. Farrell stated that there is a section of the Zoning Ordinance regarding nonconformities. Chairman Trzupek asked specifically what Mr. Thoma would like the Commission to review. Mr. Thoma responded the restrictions and regulations on grandfathering status.
- Mr. Thoma desired to see more consideration of outdoor space, like outdoor dining and the outdoor playground for the Montessori school. Chairman Trzupek asked staff to look at restrictions on outdoor uses and if it is included in the FAR calculations.
- Mr. Thoma stated that the Montessori school is allowed two years to complete construction and since it backs up to a residential area, this duration should not be allowed. Chairman Trzupek asked staff to review what the timetable is and if it should be different for the Transitional zoning districts.

## **VII. FUTURE MEETINGS**

Mrs. Farrell noted that there were no items scheduled for the February 21, 2022 meeting.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to cancel the February 21, 2022 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Stratis, Broline, Irwin, Petrich, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

**VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to adjourn the meeting at 8:25 pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Stratis, Broline, Petrich, Irwin, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

**Respectfully Submitted:**

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Janine Farrell, AICP  
Community Development Director

**VILLAGE OF BURR RIDGE**  
**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING/WORKSHOP OF MARCH 7, 2022**

**I. ROLL CALL**

The regular meeting/workshop of the Plan Commission/Zoning Board of Appeals was called to order at 6:00 p.m. at the Burr Ridge Police Department Training Room, 7700 County Line Road, Burr Ridge, Illinois by Village Administrator Evan Walter.

**ROLL CALL** was noted as follows:

**PRESENT:** 6 – Broline, Petrich, Irwin, Parrella, Morton, and McCollian

**ABSENT:** 2 – Stratis and Trzuppek

Trustees Franzese, Paveza, and Smith, Clerk Schaus, Village Administrator Evan Walter, Director of Public Works/Village Engineer David Preissig, Village Attorney Richard Ramello, Community Development Director Janine Farrell, and resident Bob Grella were also present.

**II. WELCOME AND INTRODUCTIONS**

Mr. Walter welcomed all those in attendance.

Mr. Ramello and Mrs. Farrell presented topics and discussion related to the agenda. Discussion was held generally regarding the topics listed.

**III. THE ROLE OF THE PLAN COMMISSION**

**IV. THE LEGAL ENVIRONMENT**

**V. THE COMPREHENSIVE PLAN**

**VI. THE PETITION**

**VII. THE ZONING ORDINANCE**

**VIII. FINDINGS OF FACT**

**IX. THE ROLE OF THE BOARD OF TRUSTEES**

**X. POST-PETITION PROCESSING AND MANAGEMENT**

**XI. QUESTIONS AND ANSWERS**

**XII. ADJOURNMENT**

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to adjourn the meeting at 8:15 pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Petrich, Broline, Irwin, Parrella, Morton, and McCollian

**NAYS:** 0 – None

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

**Respectfully Submitted:**

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Janine Farrell, AICP  
Community Development Director



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

**Z-04-2022: 308-312 Burr Ridge Parkway (Rovito); Requests an amendment to Ordinance #A-834-10-21 to expand the subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages pursuant to section XIII.K of the Zoning Ordinance and the County Line Square Planned Unit Development (Ordinance #A-834-19-21).**

**HEARING:**

March 21, 2022

**TO:**

Plan Commission  
Greg Trzupsek, Chairman

**FROM:**

Janine Farrell, AICP  
Community Development Director

**PETITIONER:**

Filipo Rovito

**PETITIONER STATUS:**

Tenant

**PROPERTY OWNER:**

Bob Garber

**EXISTING ZONING:**

B-1 Business District

**LAND USE PLAN:**

Recommends Commercial Uses

**EXISTING LAND USE:**

Shopping Center

**SITE AREA:**

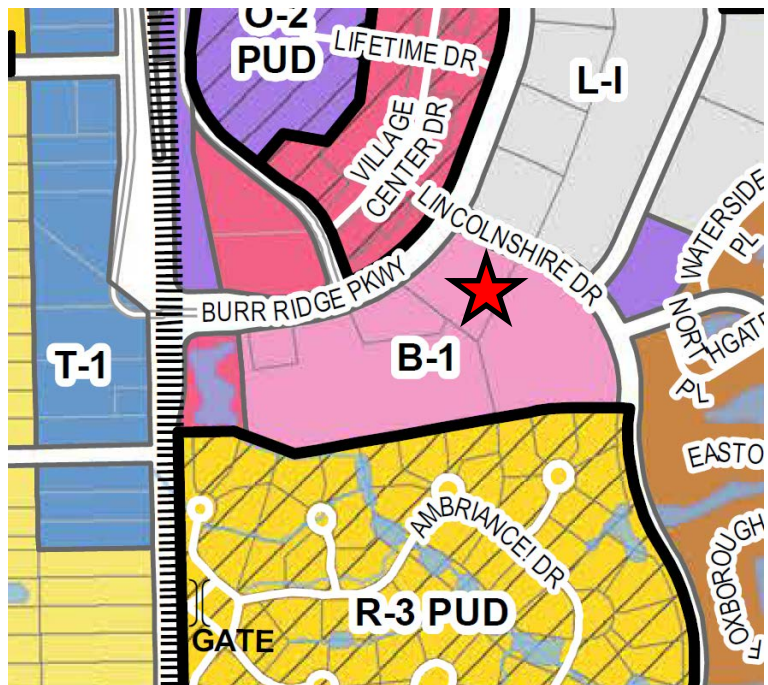
7.2 Acres

**SUBDIVISION:**

County Line Square

**PARKING AVAILABLE:**

499 Parking Spaces



On June 28, 2021, the petitioner received special use approval for a restaurant with sales of alcoholic beverages and outdoor dining (Ordinance #A-834-10-21). This special use approval was to operate Are We Live located at 310 and 312 Burr Ridge Parkway. At that time, the petitioner was also approved for a variation to permit the restaurant without the required number of parking spaces. The petitioner is now requesting to expand the existing operations into the neighboring unit addressed as 308 Burr Ridge Parkway. Should the Commission recommend approval of the requests, staff recommends including the previously approved conditions as part of this special use.

Since that special use approval, the County Line Square Planned Unit Development (PUD) was approved on November 8, 2021 (Ordinance #A-834-19-21). A restaurant over 4,000 square feet with or without the sale of alcoholic beverages requires a special use. The cumulative total of 308, 310, and 312 Burr Ridge Parkway, including the outdoor dining areas (previously approved and proposed), measures roughly 4,400 sq. ft. The interior space of 308 Burr Ridge Parkway measures 1,116 sq. ft. and the proposed outdoor dining measures roughly 300 sq. ft. The existing Are We Live operations occupies 2,400 sq. ft. of interior space and about 516 sq. ft. of outdoor dining space. The proposed expansion into 308 Burr Ridge Parkway includes additional seating for dining, two offices, a liquor room, and a storage room. The business plan and layouts are included as attachments.

The petitioner seeks to maintain the existing hours of operation, previously approved through Ordinance #A-834-10-021. Are We Live is permitted to be open until midnight every night for the interior dining and 11:00 p.m. for the outdoor dining (activity shall cease and all patrons shall vacate the premises by these times). Staff consulted with the Village Attorney to confirm that an additional special use is not required for the extended hours of operation past 10:00 p.m. The County Line Square PUD states that “any previously-approved special use shall be considered a use’s permitted hours of operation until and unless revisions are specifically made to this extent.”

Alcoholic beverages will be served, a use which is now included under the County Line Square PUD “restaurants over 4,000 square feet” special use. Outdoor dining areas accessory to any permitted or special use restaurant are now a permitted use under the County Line Square PUD. The outdoor dining area is proposed to match what was previously approved through Ordinance #A-834-10-021. The County Line Square PUD has specific guidelines for the outdoor dining area which the applicant will be required to comply with (included as an attachment).

The County Line Square PUD requires that all restaurant uses over 4,000 gross square feet must provide and continually operate a parking management plan, which shall include, at minimum, valet service to be present on Thursday-Saturday evenings after 5:00 p.m. The previously approved variation for parking also required a parking management plan that included: a commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center; the reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes; and a commitment that employees be required to park offsite or behind the shopping center. Should the Commission recommend approval of the requests, staff recommends that this is added as a condition.

The County Line Square PUD requires one parking space be provided per 200 gross square feet of commercial space. In November of 2021, the total number of required parking at County Line Square was stated to be 462 spaces. With the addition of 308 Burr Ridge Parkway, eight parking spaces are required which brings the total to 470 parking spaces, under the 479 or 499 spaces provided on site (differing totals have been provided).

### **Public Hearing History**

Z-01-2021 (Are We Live): Special use approval for a restaurant with sales of alcoholic beverages and outdoor dining. Variation approval to permit a restaurant without the required number of parking spaces.

### **Public Comment**

The four public comments received prior to March 16, 2022 have been included as attachments to this report.

### **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 chooses to recommend special use amendment and special use approval for the proposed restaurant expansion, staff recommends that said recommendation be subject to the following conditions:

1. The special use shall be limited to Filippo Rovito and shall be null and void should Filippo Rovito no longer have ownership interest in the restaurant consisting of approximately 4,400 square feet commonly known as 308-312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and County Line Square PUD regulations in respect to ingress and egress as well as liquor control. The outdoor dining plan and any remaining details shall be approved by staff through the building permit process and prior to building permit issuance.
5. Prior to building permit issuance, the petitioner shall submit a parking management plan, subject to staff approval, that includes at a minimum:
  - a. A commitment to provide valet parking off-site, behind the building, or at the west end of the shopping center.
  - b. The reservation of four (4) parking spaces for valet parking that does not interfere with any drive aisles or fire lanes.
  - c. A commitment that employees be required to park offsite or behind the shopping center.

### **Appendix**

Exhibit A - Petitioner's Materials

Exhibit B - Ordinance #A-834-10-21

Exhibit C - Ordinance #A-834-19-21

Exhibit D - Public comments







# VILLAGE OF BURR RIDGE

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

RECEIVED

FEB 16 2022

VILLAGE OF BURR RIDGE

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

PETITIONER (All correspondence will be directed to the Petitioner): Are We Live Inc. by Filippo Rovito, Jr.

STATUS OF PETITIONER: Tenant g7

PETITIONER'S ADDRESS: 308/310-312 Burr Ridge Parkway

ADDRESS OF SUBJECT PROPERTY: 308/310-312 Burr Ridge Parkway

PHONE: 630-885-2268

EMAIL: agrovito@comcast.net

PROPERTY OWNER: Bob Garber

PROPERTY OWNER'S ADDRESS: 115 Vine, Hinsdale, IL PHONE: 630-842-2506

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

#### DESCRIPTION OF REQUEST:

Expand 310-312 Burr Ridge Parkway to add 308 Burr Ridge Parkway for additional customer space, including indoor expansion and outdoor dining.

### PROPERTY INFORMATION (to be completed by Village staff) g7

PROPERTY ACREAGE/SQ FOOTAGE: 7.2 acres EXISTING ZONING: B-1/Retail Business

EXISTING USE/IMPROVEMENTS: County Line Square/multi-tenant commercial

SUBDIVISION: \_\_\_\_\_

PIN(S) # 18-303010010000, 18-30-305-003-0000

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.

Filippo Rovito Jr

Petitioner's Signature

2/16/2022

Date of Filing



Findings of Fact – Special Use  
Burr Ridge Zoning Ordinance

**Address:**

308/310-312 Burr Ridge Parkway

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

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.  
The small expansion will allow more room for customers and for guests to continue enjoyment of their evening.
- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.  
The establishment will be operated in a professional manner in accordance with all state and local codes.
- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.  
The small expansion will draw customers to the area and improve the value of the property and the businesses of other current tenants.
- d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.  
The small expansion will enhance and compliment surrounding property and businesses.
- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.  
No additional utilities, roads, etc. will be needed for this special use.
- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.  
There are multiple points of ingress and egress in County Line Square and convenient access to existing parking.
- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.  
The proposal is consistent with the comprehensive plan of the Village as amended.
- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.  
The establishment will comply with all regulations.



**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:

308/310-312 Burr Ridge Parkway

Property Owner or Petitioner:

Are We Live Inc. by Filippo Rovito, Jr.

(Print Name)



(Signature)

TO: Village of Burr Ridge, Illinois  
FROM: Bob Garber, 15 Vine Street, Hinsdale, IL  
RE: Petition of Are We Live Inc. to Expand and Add Unit 308 with Units  
310-312 Burr Ridge Parkway

I am owner/landlord of the property commonly known as 308 Burr Ridge Parkway, Burr Ridge, IL. Please be advised that I have been requested to and have agreed to lease 308 Burr Ridge Parkway, Burr Ridge, IL to Are We Live Inc., and to allow expansion and access between Unit 308 and Units 310-312 Burr Ridge Parkway.

A handwritten signature in black ink, appearing to be 'Bob Garber', written over a horizontal line.

Bob Garber  
630-842-2506

**NARRATIVE OVERVIEW FOR ARE WE LIVE EXPANSION**

Address: 308 Burr ridge Parkway

Existing space ARE WE LIVE 310-312 Burr Ridge Parkway would like to expand into the 308 space

Space is approximately 1116sf

Janine,

Per the rendering, the owner would like to open up the wall in the front of the space approximately

25'x18' to expand and relocate some of the high top tables and the booths from the existing space

The back of the space will be utilized for storage, a liquor room, and 2 offices

There is an existing restroom in the space as indicated on the rendering

An opening will be created from the existing space to the new space so employees have access into the back area

There will be no new employees hired

The new space would operate with the same hours as ARE WE LIVE is presently

Tuesday-Saturday 3pm-12 midnight

Attached also is a conceptual for outdoor dining. I have attached what ARE WE IVEL has for outdoor dining

Expansion for outside would flow into the new space. Outside hours of operation Tuesday 3pm-Saturday 11pm

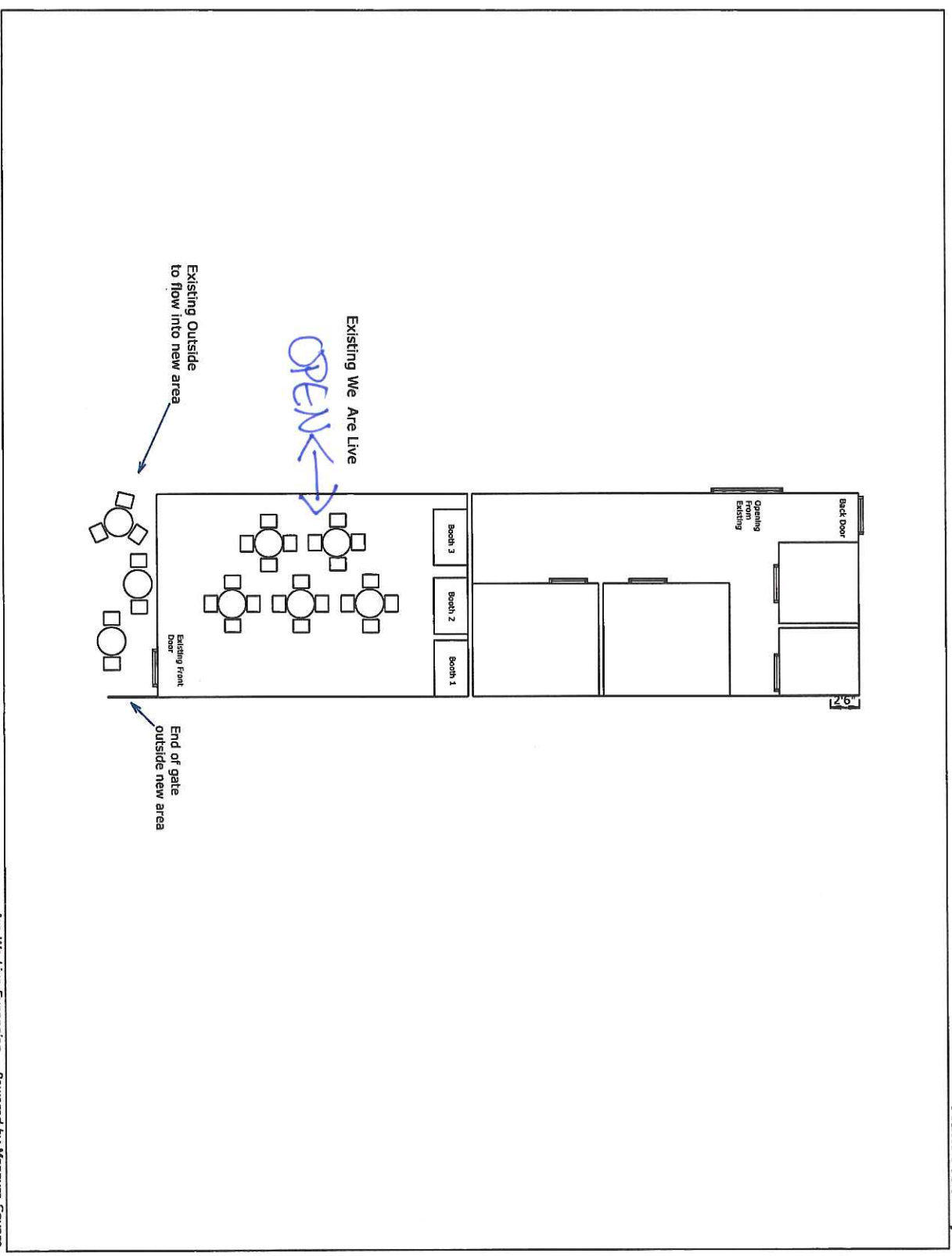
Please let me know if there is anything else you need at this time for our discussion

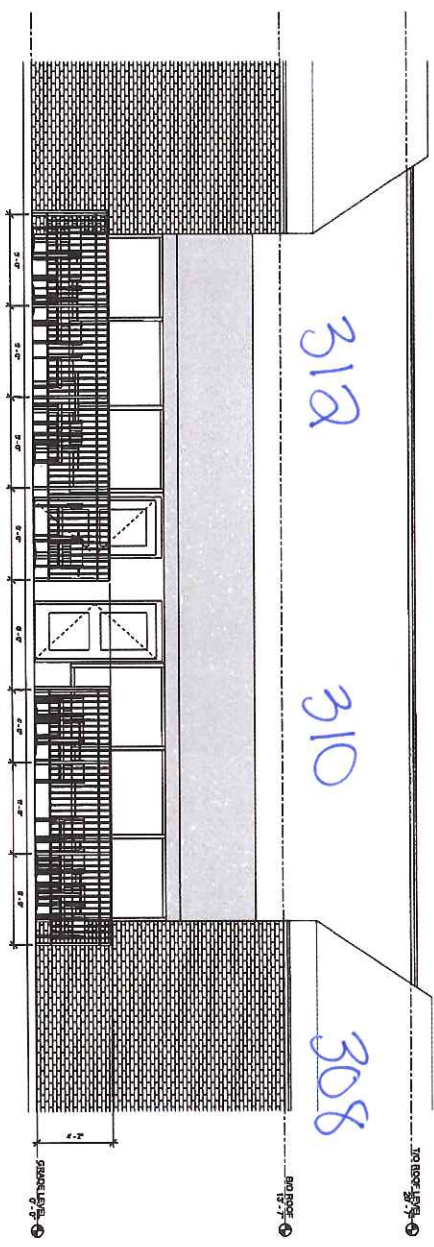
Regards,

Sandy Andrews

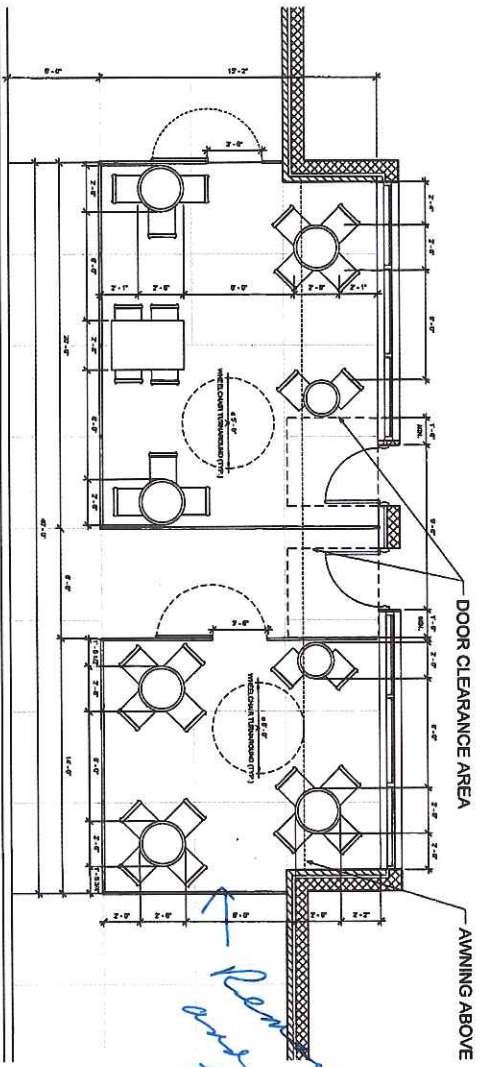
Cell: 312-446-1857

Office: 312-842-0320





① FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



② GROUND FLOOR  
SCALE: 1/8" = 1'-0"

312                      310                      308

*REMOVE AND TO FULL SPACE*

NOT FOR CONSTRUCTION

**STUDIO ARQ**

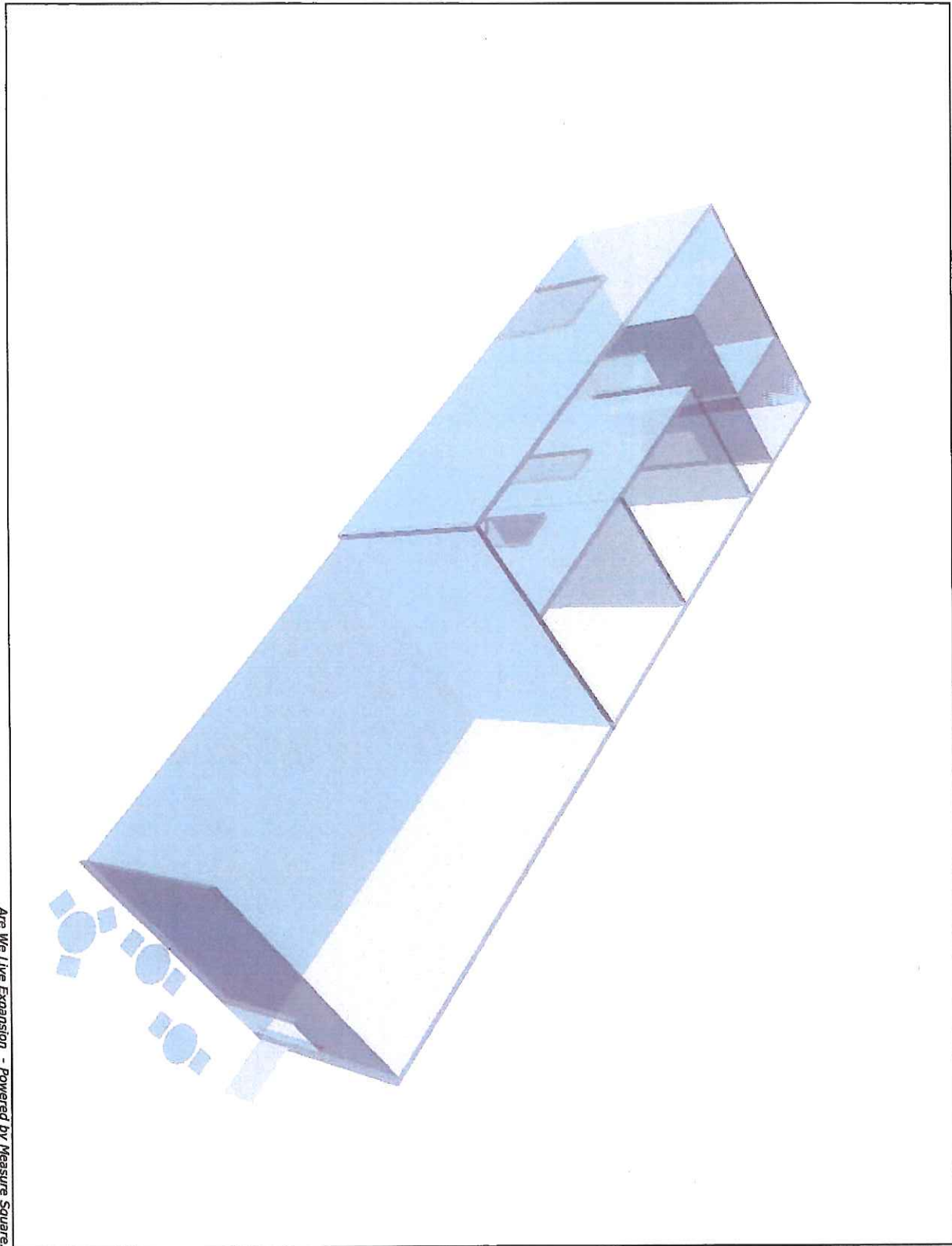
ARE WE LIVE  
OUTDOOR SEATING LAYOUT  
BURR RIDGE, IL

PROJECT NO.      Project Number  
TITLE  
EXISTING GRADE  
LEVEL  
Author      ASK001  
Checker

REVISIONS  
Revision Schedule  
REVISION | DESCRIPTION | DATE

STUDIO ARQ  
1000 N. LAKE ST. SUITE 200  
CHICAGO, IL 60610  
TEL: 312.467.1000  
WWW.STUDIOARQ.COM

STUDIO ARQ ARCHITECTS  
1000 N. LAKE ST. SUITE 200  
CHICAGO, IL 60610  
TEL: 312.467.1000  
WWW.STUDIOARQ.COM



Main Floor 2/2

Are We Live Expansion - Powered by Measure Square.



Mar 3, 2022 at 3:48:04 PM  
314 Burr Ridge Pkwy  
Burr Ridge IL 60527  
United States



**NOTICE**

There will be a public hearing on March 2, 2022 regarding this property.

All interested parties are invited to attend the hearing at the Burr Ridge Village Hall, 1000 County Center Road, Burr Ridge, Illinois 60527. The hearing will be held at 7:00 PM. The public hearing will be held on the second floor of the Burr Ridge Village Hall, 1000 County Center Road, Burr Ridge, Illinois 60527. The hearing will be held on the second floor of the Burr Ridge Village Hall, 1000 County Center Road, Burr Ridge, Illinois 60527.

For further information, please call James F. Smith at work: Burr Ridge Village Hall, 1000 County Center Road, Burr Ridge, Illinois 60527, Extension 6100. Ask for information by 2:00 PM, 2/28/22.

Mar 3, 2022 at 3:48:14 PM  
314 Burr Ridge Pkwy  
Burr Ridge IL 60527  
United States

 **NOTICE**

There will be a public hearing on March 21, 2022 regarding this property.

At 7:00 p.m. or as soon thereafter as the matter may be heard, of the Burr Ridge Police Department at 7700 County Line Road, the Plan Commission will consider a request by Filippo Ruffo regarding the property commonly known as 308-312 Burr Ridge Parkway (Parcel No. 2-64-3922). The subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages pursuant to section 90-9 of the Zoning Ordinance and the County Line Square Planned Unit Development Ordinance 8A-94-19-21).

**For further information, please call Jacine Farrell to visit:**  
Burr Ridge Village Hall  
7660 County Line Road  
(630) 854-8111, Extension 8100

**Ask for information Re: 2-68-2022**



Mar 3, 2022 at 3:48:29 PM  
310 Burr Ridge Pkwy  
Burr Ridge IL 60527  
United States

308

 **NOTICE**  
Municipal of Burr Ridge

There will be a public hearing on March 21, 2022 regarding this property.

At 7:00 p.m., or as soon thereafter as the matter may be heard, at the Burr Ridge Police Department at 7700 County Line Road, the Plan Commission will consider a request by Rippe-Rivoli regarding the property commonly known as 308-312 Burr Ridge Parkway (Petition No. Z-04-2022). The petitioner requests an amendment to Ordinance A-034-10-21 to expand the subject use and a special use for a restaurant over 4,000 square feet with the sale of alcoholic beverages (pursuant to section 303.0 of the Zoning Ordinance and the County Line Square Planned Unit Development Ordinance A-034-10-21).

For further information, please call Jarina Farrell or visit:  
Burr Ridge Village Hall  
7660 County Line Road  
(630) 654-8191, Extension 6100  
Ask for Information No. Z-04-2022

308  
M



ORDINANCE NO. A-834-10-21

AN ORDINANCE GRANTING SPECIAL USE APPROVAL PURSUANT TO THE  
BURR RIDGE ZONING ORDINANCE FOR A RESTAURANT WITH SALES OF  
ALCOHOLIC BEVERAGES AND OUTDOOR DINING

(Z-01-2021: 312 Burr Ridge Parkway - Rovito/Andrews)

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WHEREAS, an application for special use approvals for certain real estate has been filed with the Village Planner of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held public hearings on the question of granting said special use approval on May 3, 2021 and June 7, 2021 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for special use approvals, including its findings and recommendations, to this Mayor and Board of

Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

**NOW THEREFORE, Be It Ordained** by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

**Section 1:** All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of special use approvals indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

**Section 2:** That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 312 Burr Ridge Parkway, Burr Ridge, Illinois, is Filippo Rovito and Sandy Andrews (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.ff to permit the expansion of an existing restaurant with alcoholic beverage sales and outdoor dining.
- B. That the proposed restaurant expansion is in a shopping center with a variety of commercial tenants including other restaurants.
- C. That the subject property is appropriate for restaurants with sales of alcoholic beverages.

**Section 3:** That special use approvals for a restaurant with sales of alcoholic beverages and outdoor dining *is hereby granted* for the property commonly known as 312 Burr Ridge Parkway and identified by the Permanent Real Estate Index Numbers of **18-30-301-001; and 18-30-305-003.**

**Section 4:** That the special use is subject to the following terms and conditions:

1. The special use shall be limited to Filippo Rovito and shall be null and void should Filippo Rovito no longer have ownership interest in the restaurant consisting of approximately 2,500 square feet commonly known as 312 Burr Ridge Parkway.
2. Activity in the indoor restaurant area shall cease and all patrons shall vacate the premises no later than midnight on any given day.
3. Activity in the outdoor dining area shall cease and all patrons shall vacate the premises no later than 11pm on any given day.
4. The outdoor dining area shall comply with the Burr Ridge Municipal Code and Burr Ridge Zoning Ordinance in respect to ingress and egress as well as liquor control.
5. The outdoor dining plan and any remaining details be approved by staff.

**Section 5:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

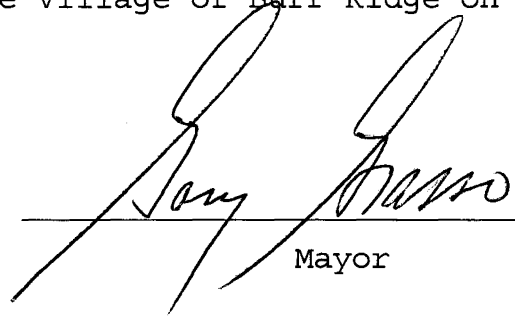
**PASSED** this 28<sup>th</sup> day of June, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

**AYES:** 6 - Trustee Snyder, Smith, Franzese, Schiappa,  
Paveza, Mital

**NAYS:** 0 - None

**ABSENT:** 0 - None

**APPROVED** by the Mayor of the Village of Burr Ridge on this  
28<sup>th</sup> day of June, 2021.

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
  
\_\_\_\_\_  
Village Clerk



ORDINANCE NO. A-834-19-21

AN ORDINANCE GRANTING 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

(Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway -  
Village of Burr Ridge)

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**WHEREAS**, an application for special use approval for certain real estate has been filed with the Village Administrator of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

**WHEREAS**, said Plan Commission of this Village held public hearings on the question of granting said special use approval on July 19, 2021, August 16, 2021, September 20, 2021, and October 4, 2021 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

**WHEREAS**, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in The Doings, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

**WHEREAS**, the Village of Burr Ridge Plan Commission has made its report on the request for a PUD Amendment, including its findings and recommendations, to this Mayor and Board of Trustees, and this Mayor and Board of Trustees has duly considered said report, findings, and recommendations.

**NOW THEREFORE, Be It Ordained** by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

**Section 1:** All Exhibits submitted at the aforesaid public hearing are hereby incorporated by reference. This Mayor and Board of Trustees find that the granting of special use approval indicated herein is in the public good and in the best interests of the Village of Burr Ridge and its residents, is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance as set forth in Section II thereof.

**Section 2:** That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Plan Commission and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the special use for the property located at 50-124 and 200-324 Burr Ridge Parkway, Burr Ridge, Illinois, is the Village of Burr Ridge (hereinafter "Petitioner"). The Petitioner requests 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.
- B. That the shopping center is unique in its overall development pattern.
- C. That the subject property requires a PUD to ensure proper land use regulations are put in place which deliver adequate municipal control but also permit the healthy development of the subject property.

**Section 3:** That special use approval for a PUD *is hereby granted* for the property commonly known as 50-124 and 200-324 Burr Ridge Parkway and identified by the Permanent Real Estate Index Numbers of 18-30-305-003-0000; 18-30-301-001-0000; and 18-30-305-005-0000.

**Section 4:** That the PUD is subject to the following terms and conditions set forth in Exhibit A.

**Section 5:** That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The

Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

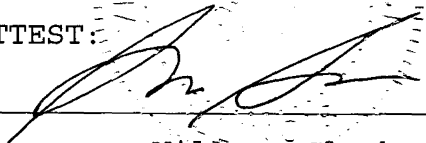
**PASSED** this 8<sup>th</sup> day of November, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

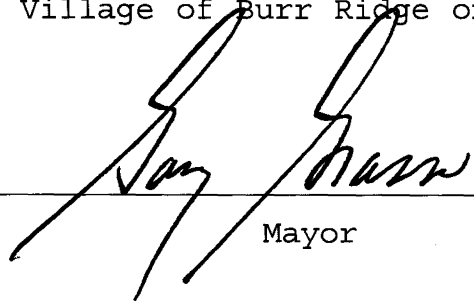
**AYES:** 6 - Trustees Schiappa, Mital, Smith, Franzese, Paveza, Snyder

**NAYS:** 0 - None

**ABSENT:** 0 - None

**APPROVED** by the Mayor of the Village of Burr Ridge on this 8<sup>th</sup> day of November, 2021.

ATTEST:   
Village Clerk

  
Mayor

**PLANNED UNIT DEVELOPMENT REGULATIONS RELATED TO THE  
SHOPPING CENTER AT 50-324 (EXCLUDING 150) BURR RIDGE PARKWAY**

The following regulations are intended to govern the current use, scope, as well as present and future conditions of the subject property at 50-324 (excluding 150) Burr Ridge Parkway, known at this time as “County Line Square Shopping Center”, as described in Exhibit A (Plat of Survey).

Operation within Enclosed Buildings

All business, service, storage, merchandise display, repair, and processing, where allowed, shall be conducted within a completely enclosed building, except as follows:

- a. Outdoor activities are permitted for uses which by definition require outdoor activities such as parking and loading areas, automobile service stations, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to the Zoning Ordinance.
- c. Temporary (less than or equal to 72 hours in total duration) outdoor activities may be permitted subject to written approval by the Village Administrator or their designee. Such activities shall not include any permanent improvements, buildings, or structures. Outdoor activities which may be permitted include festivals, tent sales, or seasonal sidewalk sales.

Signs

Building Signs located at the subject property are subject to the issuance of a sign permit by the Village. Building Signs are subject to the following regulations:

- a. Each tenant shall be permitted one Building Sign on the building façade.
- b. Each Building Sign shall not exceed one square foot for each lineal foot of the storefront or tenant space width with a minimum area allowed of 20 square feet and a maximum area allowed of 40 square feet.
- c. All tenants are permitted to affix Storefront/Window Signs, defined as any covering of the front window for advertisement purposes, without need for a sign permit and in adherence to the following regulations:
  1. The sum total of all Storefront Signs shall not exceed 30 percent of the total area of the windows in which they are located.
  2. Storefront Signs shall not have any moving parts.
  3. A series of windows that are separated by frames and supporting material of less than six inches in width shall be considered as a single window for the purpose of computation.
  4. Storefront Signs must be hung from some appurtenance of the tenant space and may not be taped or suction-cupped to the window, except if the advertisement is not related to the business’ primary functions and is equal or less than 8 ½ x 11 inches in size and laminated.

Design guidelines for Building Signs shall be defined as follows:

- a. Signs are limited to trade names and logo (as identified in the lease). Listing of merchandise or descriptions of categories are not permitted. Signs may not include payment options or the terms "We Accept" in any form or variant.
- b. Iridescent and flashing signs, flashing lights, animated elements, formed plastic, injection molded plastic, and internally illuminated box signs are prohibited.
- c. Exposed raceways, exposed transformers, and visible sign company labels are not allowed. Transformers should not be visible and installed within a tenant's frontage. Animated components, formed plastic, or non-durable signs are not allowed. All signage materials shall be UL-Rated.
- d. No sign maker's labels or identifications may be visible on the exterior of the sign.
- e. No signs with a visible back are permitted and fasteners should be concealed. All supports and fasteners must be of a non-ferrous metal of a quality material and finish.
- f. Exposed neon is not permitted.
- g. All signs must include a seven-day, 24-hour clock to control illumination of storefronts.
- h. All signs must not be more than 12 inches in depth.

*Non-Internally Illuminated Individual Letter Signs*

- a. Dimensional letter or graphics, pin-set or otherwise applied directly to the face of storefront area with external illumination. Signage types include metal, acrylic, or wood letters.
- b. Signs shall not be placed on background material.
- c. All signs must be lit with either a concealed fixture or as a design element i.e. decorative gooseneck fixture.

*Silhouette (Halo) Reverse Channel Lettering*

- a. Background surfaces of the sign shall be opaque and not reflect the illumination of image of the neon lamps within the letters.
- b. All neon tubing must be fully concealed within the letter to not be visible to the public.
- c. The rear edge of the letter shall be approximately one inch from the background surface.
- d. Standoff brackets shall be mounted in the least visible location to support the letters.
- e. Standoff brackets and fasteners visible within the one-inch dimension between the background surface and the back of the letter shall be painted to match the background surface.
- f. P-K transformer housings shall be provided to feed the neon to each letter of the sign.
- g. Halo-type signs must have clear Lexan backing on the rear of the letters.

In all instances, signs must not exceed three total colors, including white.

*Shopping Center Ground Sign*

Shopping center signs are subject to the approval of the Board of Trustees upon review by the Plan Commission. One shopping center ground sign may be allowed subject to the following:

- a. Shopping center ground signs shall be consistent in design and materials with wall signs.
- b. Shopping center ground signs shall be a maximum area of 100 square feet in area.
- c. Shopping center ground signs shall not exceed a maximum height of 8 feet except as allowed by paragraph e below.

- d. Shopping center ground signs shall be setback a minimum of 10 feet from all property lines except as required by paragraph e below;
- e. The height of shopping center ground signs may be increased up to 12 feet provided that the sign is setback an additional 3 feet for each 1 foot increase in height. For example, a 9 foot high sign would require a 13 foot setback from all property lines, a 10 foot high sign would require a 16 foot setback.

#### Landscaping and Buffering

Any element of the subject property which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations.

#### Hours of Operation for Business Uses

- a. The hours of operation for all uses within this Ordinance shall not exceed 7 A.M. to 10 P.M. on a permitted basis.
- b. Any use may request special use approval in accordance with the procedures and requirements outlined in the Zoning Ordinance to exceed these permitted hours.
- c. Any previously-approved special use shall be considered a use's permitted hours of operation until and unless revisions are specifically made to this extent.

#### Permitted and Special Uses

##### *Permitted Uses*

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops
- b. Art stores, including galleries, custom art studios, art supplies, and related functions
- c. Bicycle sales, including rental and repair and service functions
- d. Book, stationery, card, and related gift shops
- e. Camera and photographic supply stores
- f. Carpet and rug stores with retail component
- g. China, glassware, and household goods stores
- h. Computer, business machine, and office equipment and supply stores
- i. Dry cleaning or laundry receiving establishment (with majority of cleaning done off-site)
- j. General apparel stores, including furriers, leather shops, jewelry stores with repair services, shoe stores with repair services, tailor and dressmaking shops, and clothing rental stores
- k. Financial services offices, including financial planning, real estate, or insurance offices
- l. Florists

- m. Food stores, including grocery stores, supermarkets, bakeries, health food stores, fruit and vegetable stores, delicatessens, butchers, bulk food stores, candy stores, and other similar establishments
- n. Furniture stores
- o. Home improvement stores, including hardware stores, interior decorating stores, locksmiths, and paint and wallpaper stores
- p. Hobby shops, including toy stores, coin/philatelic stores, and craft/fabric/sewing stores
- q. Home contracting sales and services, including homebuilders
- r. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- s. Medical, dental, and optical offices and clinics without ambulance or emergency services
- t. Movie and video game stores, excluding movie theaters
- u. Music stores, including the sale of music-related items and the teaching of music skills
- v. Offices for use by government agencies, except those related to the services provided by the Secretary of State's Vehicle Services Division
- w. Orthopedic and medical appliance stores
- x. Outdoor dining areas accessory to any permitted or special restaurant use subject to compliance with the regulations herein
- y. Personal improvement services, including health and fitness, barber shops and beauty and health services studio or instructional, and physical therapy offices, excluding fortune-telling or psychic and tattoo or body piercing establishments
- z. Pharmacies and drug stores
- aa. Photography and picture framing studios
- bb. Post offices or business service stores without outdoor parking or storage
- cc. Restaurants under 4,000 square feet (including specialty restaurants such as donut shops and ice cream shops), with or without sales of alcoholic beverages
- dd. Studios for teaching of art, martial arts, music, dance, gymnastics, etc.
- ee. Sporting goods stores, excluding uses whose primary functions are related to gun and ammo sales and/or shooting ranges
- ff. Temporary outside sales display accessory to a permitted or special use
- gg. Travel agencies
- hh. Tutoring centers for pre-school, primary, and secondary education
- ii. Wine shops and services without any on-site consumption except for sampling

### *Special Uses*

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of the Zoning Ordinance, as appropriate:

- a. Banks and financial institutions
- b. Banquet halls and catering establishments
- c. Child care centers and nursery schools
- d. Clubs or lodges, private, fraternal, or religious
- e. Drive through facilities accessory to a permitted or special use

- f. Dry cleaners with on-site equipment for dry cleaning
- g. Funeral parlors or crematoriums
- h. Gun and ammo sales, including shooting ranges
- i. Hours of operation exceeding 7 A.M. to 10 P.M. for any permitted or special use
- j. Liquor stores
- k. Live entertainment and dancing accessory to any permitted or special use
- l. Professional massage services
- m. Offices related to the Secretary of State's Vehicle Services Division
- n. Parking lots and structures where such uses are the principal use on a lot
- o. Pet shops and pet service stores, with or without overnight services
- p. Restaurants (including specialty restaurants such as donut shops and ice cream shops) over 4,000 square feet with or without sales of alcoholic beverages.
- q. Tobacco shops
- r. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site

#### Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 48" of a curblin or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;



- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Parking Design Regulations

The subject property shall provide one parking space for each 200 gross square feet of commercial space available.

Every parking lot in excess of fifteen spaces shall contain planting islands for shade trees in compliance with the following standards:

- a. There shall be one island for every 15 parking spaces and one shade tree for each island.
- b. Each parking lot landscape island shall be a minimum of 9 feet wide and 18 feet in length.
- c. Required shade trees shall have a minimum 3 inch diameter measured two feet above ground level.
- d. Parking lot landscape islands generally shall be located at the ends of each row of parking (one double island to be located at the end of a double row of parking) and every 15 parking spaces within a row.
- e. Maintenance of Landscape Areas and Screening: All such landscaped areas and screening shall, once installed, be maintained in such manner as to retain at least the intended standards of the initial landscaping and to conform to the landscaping requirements of the Village.

*Minimum Standards for Parking Stalls and Aisles*

<b>Angle of Parking</b>	<b>45 Degrees</b>	<b>60 Degrees</b>	<b>90 Degrees</b>
<b>Width of Stall</b>	9'	9'	9'
<b>Stall Width (parallel to aisle)</b>	12'9"	10'5"	9'
<b>Stall Depth (perp. to aisle)</b>	20'	21'	18'
<b>Stall Length</b>	19'	19'	18'
<b>Aisle Width</b>	13'*	17'*	24'

\*One-way aisles only

Parallel parking shall be permitted with stalls at least 24' in length with an aisle of 14'

Accessible parking areas shall be designed in accordance with State requirements

All open off-street loading berths, access drives, aisles, and maneuvering spaces shall be improved with an all-weather hard surface pavement including, at a minimum, a two inch (2") bituminous concrete surface course, with a twelve inch (12") minimum thickness aggregate base course, and six inch (6") high perimeter concrete curbing (Type B or Type B6:12) installed in accordance with Illinois Department of Transportation specifications.

Parking and Loading Regulations

The area immediately adjacent to the curbline shall be permitted to be used as a standing and loading zone (as shown in Exhibit C in yellow), except no parking, standing, or loading areas shall

be designated near the traffic intersection (as shown in Exhibit C in red). It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, groceries, or freight in any place along the curblin. It is prohibited to park a vehicle, whether occupied or not, along the curblin at the subject property. Parking or excessive standing/loading shall be defined as five (5) consecutive minutes. Signs shall be erected every 100 feet along the curblin to this effect. Additionally, restaurants may exclusively operate valet services in areas shown in Exhibit C in blue between 5:00pm-10:00pm from Thursday-Sunday if they provide written notice to the Village and the property owner. Blue-designated areas shall serve as yellow-designated standing and loading zones outside of these hours. All employees of and agents or parties directly affiliated with a business must provide or receive deliveries in the rear of the property; third party agents may provide or receive deliveries in the front of the property.

All restaurant uses over 4,000 gross square feet must provide and continually operate a parking management plan, which shall include, at minimum, valet service to be present on Thursday-Saturday evenings after 5:00pm.

Employees at all businesses shall park behind the primary building (articulated in Exhibit B), except when cases when all legally permitted spaces behind the building are occupied.

Parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.

## Janine Farrell

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**From:** Patricia Davis <patti@davismedpr.com>  
**Sent:** Monday, March 14, 2022 1:34 PM  
**To:** Janine Farrell  
**Cc:** gtrzupek@esadesign.com  
**Subject:** Plan Commission meeting March 21, 2022

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Ms. Farrell, Chairman Trzupek, and Plan Commissioners:

I am writing in strong opposition to Mr. Rovito's petition for nearly doubling the size of his Are We Live? (AWL) lounge from approx.. 2,500 sq. ft. to "over 4,000 sq. ft.". I respectfully request that this letter and attached photos (four) be included in the agenda packet for the March 21, 2022 Plan Commission meeting.

As Yogi Berra once said, "It's like déjà vu all over again!" Do you recall...

- In 2020 this Plan Commission and the Board approved the soon-to-be-open sports bar, Jonny Cab's, in County Line Square, approx.. 4,000 sq. ft. Many residents are upset because they feel they were not adequately notified during the approval process;
- Last Spring nearly 100 residents emailed, sent letters, and appeared at meetings opposing AWL, yet this Commission and the Village Board approved its special uses over the wishes of those residents;
- During the approval process for AWL last year, this Plan Commission struggled with the parking situation in County Line Square. When Jonny Cab's opens soon, that will make seven dining/drinking establishments open in the evening at the east end of the mall.

Plan Commissioner Stratis touted petitioner Rovito as "a good citizen" (6/1/21 Plan Commission meeting minutes). Village Board trustees claimed Rovito "is an excellent restaurant operator," "a great neighbor," and "a great citizen" (6/28/21 Board meeting minutes). But this petitioner violated numerous ordinances when he erected this large, obscene LED sign ("Don't Give A F\*\*k Just Smile") outside AWL and hosted outdoor dining and drinking on the public right-of-way (see attached photos) last September. Mr. Rovito was never fined for this egregious behavior.

Mr. Rovito and his lounge do not merit additional trust and expansion when petitioner has a documented history of violating Village ordinances:

- AWL erected its outdoor signage six months before receiving approval to operate;

- AWL was approved for 310-312 Burr Ridge Parkway, but has already expanded into #308 and is now just asking for permission after the fact;
- AWL has advertised and hosted “Happy Hours” in violation of current municipal code;
- AWL has featured “live entertainment” (DJ, live music, etc.) despite not having an approved special use. In fact, its approved petition specifically stated, “There will be no live entertainment at Are We Live. The only music that there will be is what is piped in through the speakers.”

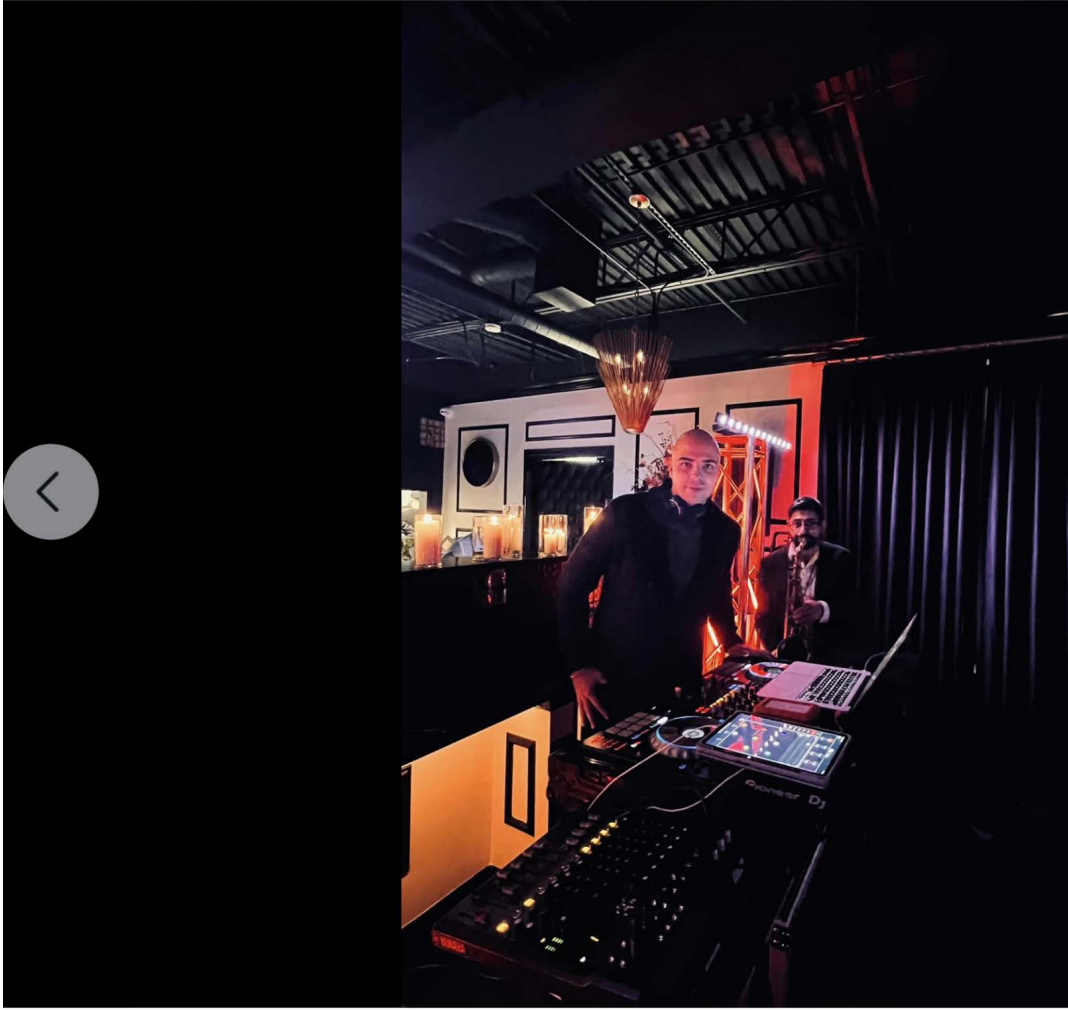
Ask yourselves: does Are We Live really need an expansion if it’s now closed on Sundays and Mondays (pared-back days since its initial approval)?

Let’s see how the parking situation plays out in a few weeks when Jonny Cab’s opens. And demand Mr. Rovito prove to residents he can follow the rules for AWL’s permitted outdoor dining BEFORE granting any indoor expansion. Thank you.

Respectfully submitted,  
Patricia A. Davis  
Burr Ridge resident







**i Donatas DJ**

November 21 at 3:20 PM · Burr Ridge, IL · 🌐

— at Are We Live?

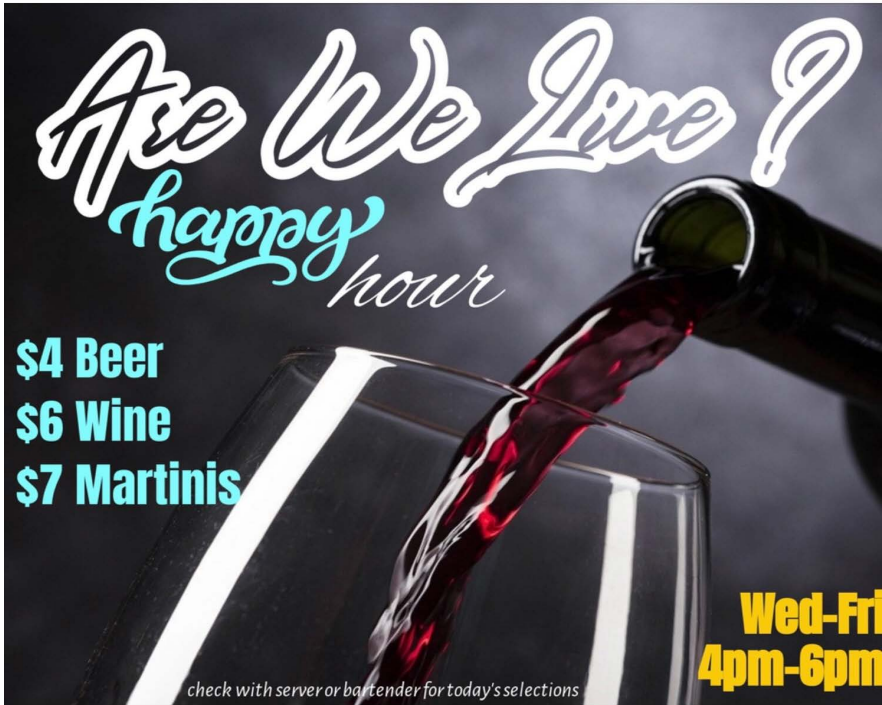


Are We Live

3h · 🌐



NEW [#HappyHour](#) Wednesday-Friday from 4-6pm at [#AreWeLive!](#)  
Stop by after work or shopping for \$4 [#Beers](#), \$6 Glasses of [#Wine](#)  
& [#7](#) [#Martinis!](#) (ask your server or bartender for today's selections)  
[#CapriByGigi](#)



1



**From:** [Elena Galinski](#)  
**To:** [Janine Farrell](#)  
**Subject:** Against Petition Z-04-2022:308-312 Burr Ridge Parkway  
**Date:** Tuesday, March 15, 2022 8:02:24 AM

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Dear Plan Commission:

As a citizen of Burr Ridge who has been disturbed to hear of several egregious violations of our ordinances by this petitioner Filippo Rovino, and specifically with regards to the subject property "Are We Live?" I request that you not amend the ordinance to allow the expansion of the special use. The petitioner has made improvements in spite of not having the appropriate permits and not waiting for them, violated signage ordinances, had live outdoor music at this location when it was specifically not allowed in the prior special use, and shown a general disregard for the ordinances and legal processes of Burr Ridge. These are not the actions of a good neighbor; these are not actions that should be rewarded by allowing expansion of a business, hours, and usage. Please consider this and do not amend the ordinance to allow this expansion.

Best regards,

Elena Galinski  
Burr Ridge Taxpayer and Citizen

**From:** [Judy Raica](#)  
**To:** [Janine Farrell](#)  
**Subject:** Expansion of Are We Live  
**Date:** Sunday, March 13, 2022 1:49:40 PM

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I am strongly opposed to any expansion of the Are We Live venue in Burr Ridge. I am out of town and unable to attend the meeting concerning this. I am most concerned about the Village's apparent change from a restaurant focused area to a "bar" scene. Does the Village Board truly understand what that will do to the environment and "flavor" of our neighborhood? Is the plan for Burr Ridge to be a destination for "nightclubbers?" That's not compatible to a family friendly community. Isn't that what Burr Ridge has been for years?

I feel the Board was not transparent from the beginning with the changes made to the Fred Astaire location to a bar. This was done without adequate input from the community. Now it is made worse by the continual addition to locations that are not restaurant focused but "bar" focused.

I live in Chasemoor directly on Chasemoor Drive and I am most concerned my property values will be negatively impacted because of the increased traffic and issues related to having so many location to what you are proposing.

Judy Raica  
160 Easton Place  
Burr Ridge, IL 60527

**From:** [Lynn Sellers](#)  
**To:** [Janine Farrell](#)  
**Subject:** Burr Ridge Bars  
**Date:** Saturday, March 5, 2022 6:45:31 AM

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Ms. Farrell,

As a 16 year resident of Chasemoor in Burr Ridge, I am disappointed to see the change in the culture of the community with bars and entertainment venues. Before " Are We Live" even opened, the loud music from County Wine Merchant could be heard in my home, even with the windows closed! It is disappointing that the beautiful, quiet community I moved into is changing so drastically.

Please count me as one who is strongly opposed to the turn in the nature of my community.

Lynn Sellers



## VILLAGE OF BURR RIDGE

### MEMORANDUM

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

**FROM:** Janine Farrell, AICP  
Community Development Director

**DATE:** March 21, 2022

**RE:** Board Report

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Since the Commission last met on February 7, 2022, the Board of Trustees took the following actions relative to matters forwarded from the Plan Commission.

#### **February 14, 2022**

- **Z-03-2022:** The Board considered two special uses for outdoor, overnight storage of retail vehicles and truck sales for 15W776 North Frontage Road. The Board removed the Plan Commission recommended condition that the use be temporary in nature, expiring one year after approval. The Board also increased the number of trucks permitted from the Plan Commission recommended fourteen to twenty-eight.

#### **February 28, 2022: Cancelled**

#### **March 14, 2022**

- **Z-03-2022:** The Board approved Ordinances for two special uses for outdoor, overnight storage of retail vehicles and truck sales for 15W776 North Frontage Road. The final approved conditions removed the temporary in nature provision and increased the number of trucks permitted to twenty-eight.

02/07/2022

## Permits Applied For January 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info		Description
JCA-22-020	01/25/2022	101 Burr Ridge Pkwy	L'evate Holdings	2048 N. Whipple Street Chicago IL 60647	Com Alteration
JENG-22-001	01/04/2022	15W 431 59TH ST	Smith LaSalle	10102 Pacific Avenue Franklin Park IL 60131	Engineering Permit
JPAT-22-010	01/14/2022	6633 Purdie Ct	Power Court	734 Hickory Ln West Chicago IL 60185	Patio
JPAT-22-013	01/18/2022	6633 County Line Rd.	Arrowhead Brick Pavers, Inc.	2800 S Cannonball Tr Bristol IL 60512	Patio
JPCT-22-019	01/20/2022	16W 50 83rd ST	Watchhill Wireless Solutions	927 N. State Street Elgin IL 60123	Cell Tower
JPF-22-021	01/26/2022	6860 North Frontage Road	First Fence Inc.	10 N Elm St. Hillside IL 60162	Fence Permit
JPS-22-002	01/04/2022	503 Village Center Dr.	Creative Led Signs	12560 S. Holiday Dr #B Alsip IL 60803	Sign
JPS-22-003	01/04/2022	1333 Burr Ridge Pkwy	Parvin-Clauss	165 Tubeway Carol Stream IL 60188	Sign
JPS-22-015	01/19/2022	16W 301 91st St	Fast Signs of Arlington Heights	1814 N. Arlington Heights Rd Arlington Heights IL 60004	Sign
JPS-22-022	01/28/2022	100 Burr Ridge Pkwy	Olympik Signs, Inc	1130 N. Garfield Lombard IL 60148	Sign
JRAD-22-017	01/20/2022	16W 72 91ST ST	Great Day Improvements LLC	1765 W. Cortland Ct Suite C Addison IL 60101	Residential Addition
JRAL-22-004	01/07/2022	ROWs Ck Cty Locations	AXS Points	1901 Industrial Dr Libertyville IL 60048	Right-of-Way
JRAL-22-005	01/07/2022	ROWs Ck Cty Locations	Directional Construction Servic	440 S Dartmoor Dr Crystal Lake IL 60014	Right-of-Way
JRAL-22-006	01/06/2022	9301 Fallingwater Dr E	Pro One Builders Group	75 W. 61st Street Westmont IL 60559	Residential Alteration
JRAL-22-008	01/07/2022	118 Surrey Ln	MG Brothers Construction, Inc	1295 Jarvis Ave. Elk Grove Village IL 60007	Residential Alteration
JRAL-22-012	01/18/2022	ROWs Ck Cty Locations	TurnKey Network Solutions	1806 Hagermann Dr Batavia IL 60510	Right-of-Way
JRAL-22-014	01/19/2022	11774 Briarwood Ct	Lamantia Builders	20 E. Ogden Hinsdale IL 60521	Residential Alteration

## Permits Applied For January 2022



02/07/2022

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info		Description
JRAL-22-018	01/20/2022	11888 Crosscreek CT	McNaughton Brothers Constru	16W347 83rd St. Burr Ridge IL 60527	Residential Alteration
JRES-22-007	01/05/2022	7940 S Wolf Rd	Sunrun Installation Services, In	1 Territorial Ct Bolingbrook IL 60440	Residential Miscellaneous
JRSF-22-011	01/13/2022	7700 S Wolf Rd	Archer Inc	14564 136th Street Lemont IL 60439	Residential New Single Family
<b>TOTAL:</b>	<b>20</b>				

02/07/2022

## Permits Issued January 2022



Permit Number	Date Issued	Property Address	Applicant Name & Contact Info		Description	
					Value	Sq Ftg
JCA-21-381	01/06/2022	145 Tower Dr 12	Cargo Runner Company	131 Tower Drive Burr Ridge IL 60527	Com Alteration \$488,775	6,517
JDS-21-374	01/07/2022	208 W 59th St	Oneil Excavating Inc.	6145 W. Kennedy Road Peotone IL 60468	Demolition Structure \$12,000	
JELV-21-418	01/06/2022	1333 Burr Ridge Pkwy	Fujitec America Inc	1225 Greenbrar Drive, Unit G Addison IL 60101	Elevator \$30,000	
JGEN-21-387	01/26/2022	7227 Lakeside CIR	McNaughton Development	11S220 Jackson St. Burr Ridge IL 60527	Generator	
JPf-21-424	01/14/2022	8673 Dolfor Cove	Northwest Fence	15537 Weber Rd. Lockport IL 60441	Fence Permit \$8,360	
JPPL-21-382	01/13/2022	8322 County Line Rd	Quantus Pools Corp.	3701 Berdnick St Rolling Meadows IL 60008	Pool \$100,000	
JPPL-21-392	01/06/2022	7719 Drew Ave	Sunset Pools and Spas	1675 Hicks Road Rolling Meadows IL 60008	Pool \$135,500	
JPS-21-420	01/24/2022	503 Village Center Dr.	Creative Led Signs	12560 S. Holiday Dr #B Alsip IL 60803	Sign	
JPS-21-422	01/05/2022	6860 North Frontage Road	Legacy Sign Group	7933 W. Hwy 6 Westville IN 46391	Sign	
JPS-21-423	01/24/2022	212 Burr Ridge Pkwy	Central States Sign	221 King St Elk Grove Village IL 60007	Sign	
JRAD-21-371	01/14/2022	28 Deer Path Trail	Envy Home Services	575 S. Arthur Avenue Arlington Heights IL 60005	Residential Addition \$35,000	139
JRAL-21-407	01/11/2022	2 TARTAN RIDGE RD	Euro Professionals	2924 Stonewall Ave Woodridge IL 60517	Residential Alteration \$95,000	504
JRAL-21-410	01/11/2022	ROWs DuPage Locations	ComEd	1 Lincoln Centre Oak Brook Terrace IL 60181	Right-of-Way	
JRAL-21-428	01/26/2022	8738 Aintree Ln	Normandy Construction	440 E. Ogden Avenue Hinsdale IL 60521	Residential Alteration \$40,800	230
JRES-21-425	01/19/2022	7980 Savoy Club Ct.	Western Red Cedar Pergolas	2323 S. 3rd Avenue North Riverside IL 60546	Residential Miscellaneous \$15,072	
JRES-21-426	01/19/2022	11423 75th St	Sunrun Installation Services, In	1 Territorial Ct Bolingbrook IL 60440	Residential Miscellaneous	

02/07/2022

## Permits Issued January 2022



Permit Number	Date Issued	Property Address	Applicant Name & Contact Info		Description
					Value & Sq Ftg
JRES-21-427	01/26/2022	6271 Grant St	Oakwood Electric & Generator	237 N. Cass Av Westmont IL 60559	Residential Miscellaneous
JRSF-21-370	01/04/2022	8955 Glenmora Ln	McHandsworth Inc	11400 Burr Oak Lane Burr Ridge IL 60527	Residential New Single Family \$607,950                      4,053
<b>TOTAL:</b>	<b>18</b>				



02/07/22

## Occupancy Certificates Issued January 2022



CO #	Certificate of Occupancy Date	Occupant of Record	Address
OF22001	01/06/22	Kelly Pralle	7227 Lakeside CIR
OF22002	01/06/22	Albert & Kathleen Durkin	7252 Lakeside Cir
OF22003	01/18/22	Action Behavior Centers	6860 North Frontage Road

## CONSTRUCTION VALUE OF BUILDING PERMITS - MONTHLY SURVEY 2022

(Does not include miscellaneous Permits)

MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH
JANUARY	\$607,950	\$170,800		\$488,775	\$1,267,525
	[1]	[3]		[1]	
FEBRUARY					\$0
	[]	[]			
MARCH					\$0
	[]	[]		[]	
APRIL					\$0
	[]	[]		[]	
MAY					\$0
	[]	[]		[]	
JUNE					\$0
	[]	[]		[]	
JULY					\$0
	[]	[]		[]	
AUGUST					\$0
	[]	[]		[]	
SEPTEMBER					\$0
	[]	[]		[]	
OCTOBER					\$0
	[]	[]		[]	
NOVEMBER					\$0
	[]	[]		[]	
DECEMBER					\$0
	[]	[]		[]	
<b>2021 TOTAL</b>	<b>\$607,950</b>	<b>\$170,800</b>	<b>\$0</b>	<b>\$488,775</b>	<b>\$1,267,525</b>
	[1]	[3]	[]	[1]	

## Village of Burr Ridge New Housing Permits 2021 Compared to 2022

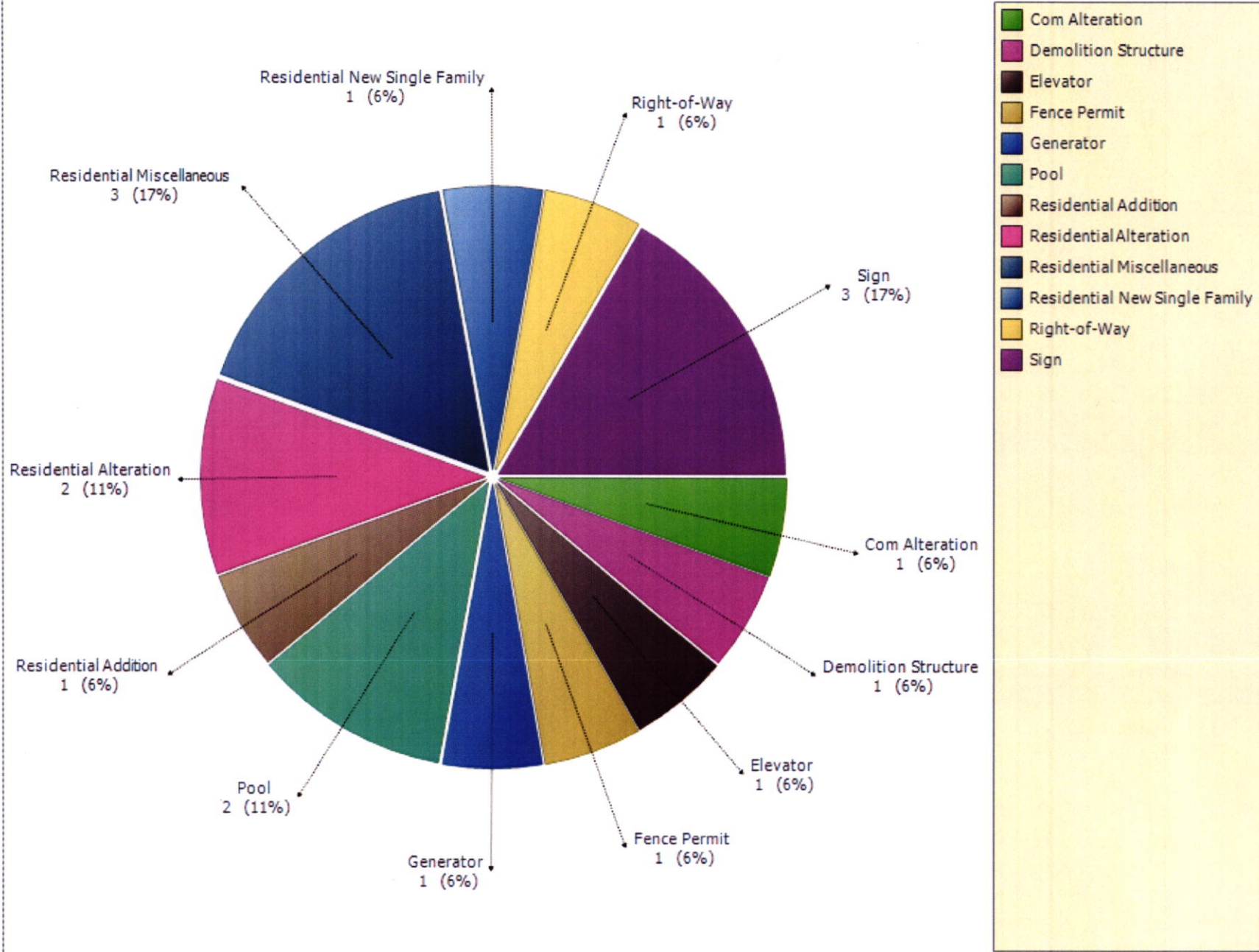


■ 2021  
■ 2022



Breakdown of Permits by Project Type

Permits Issued January 2022





**VILLAGE OF BURR RIDGE**  
**MEMORANDUM**

**TO:** Village of Burr Ridge Plan Commission  
Greg Trzupsek, Chairman

**FROM:** Janine Farrell, AICP  
Community Development Director

**DATE:** March 21, 2022

**RE:** **Prioritizing Proposed Text Amendments 2022**

Due to the several proposed text amendments that have been either directed by the Board of Trustees, recommended by the Commission, or suggested by a resident, staff is requesting that the Commission prioritize the order in which the text amendments should be brought forward for public hearing.

<b>Topic</b>	<b>Status</b>	<b>Date</b>	<b>Synopsis</b>
Right-of-Way Signs	Directed by Board	6/28/21	Section 55.09.E of the Sign Ordinance (attached) lists “Right-of-Way” signs as Temporary Signs. Temporary signs do not require permission to be placed so long as they comply with several conditions. Enforcement proceedings against signs violating the provisions is complicated. Staff recommends that the Village simplify the regulations so that education and enforcement are clearer.
Commercial Vehicle Parking in Res. Districts	Directed by Board	6/28/21	Section IV.K of the Zoning Ordinance (attached) details regulations for “boats, trucks, commercial vehicles and buses” within the residential districts. Overnight, outside parking of commercial vehicles is prohibited. No more than two commercial vehicles may be parked indoors on a residential property and only one for multi-family or attached residential properties. A summarized definition of a commercial vehicle is one that advertises a business, has auxiliary equipment such as racks or boxes, contains equipment or materials intended for commercial use, and has up to a Class D license plate. Vehicles displaying a

			Class F or greater plate are prohibited in residential districts. Staff recommends that the Commission review what constitutes a commercial vehicle since certain items, like a storage box in a truck bed, may not necessarily indicate commercial use.
Short-Term Rentals	Directed by Board	11/22/21	Under current Zoning Ordinance regulations, the use of single-family residential homes as short-term rentals does not qualify as a “home occupation” and the “short-term home rental” use is not specifically defined. It is not uncommon for a property owner to rent their home to a tenant for a one-year term, although this use of the property is not legally distinct from a one-night rental under the current language of the Zoning Ordinance. Staff believes that additional clarification as to the definition of “short-term home rental” will be beneficial to both staff and property owners, who would then have a clear and common understanding as to if and when such a use is permitted or prohibited, as well as if any additional zoning regulations are necessary to mitigate the impact of these uses if they are desired.
Live Entertainment	Directed by Board	2/14/22	While a special use permit is required for restaurants offering live entertainment, there is no Zoning Ordinance definition for “live entertainment.” To ensure clarity for residents, businesses, and staff, it is recommended that a definition for live entertainment is created. The Board also directed the Commission to review if this use should be permitted (no special use required) as accessory to the restaurant use. A list of restaurants which have approved special uses for live entertainment is attached.
Hours of Operation	Directed by Board	2/14/22	For Business District zoned properties, the Zoning Ordinance (attached) sets standard hours of operation from 7a-10p. For restaurants with liquor licenses, the hours of operation can be up to Midnight

			<p>on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays; and 2:00 AM on Fridays and Saturdays. Any hours of operation outside of 7a-10p require special use approval. The Board directed the Commission to review the permitted hours of operation since special use approval has varied for different businesses (for example, Hampton Social is permitted to be open until 1a Thursday-Saturday while Cooper’s Hawk is 1a on Friday and Saturday). Standardizing hours of operation would provide clarity for residents, businesses, and staff. A list of restaurants and their hours of operation is attached.</p>
Attached Garages	Board direction required	Anticipated 3/28/22 agenda	<p>At the July 19<sup>th</sup> meeting, the Plan Commission considered a text amendment to allow detached garages into side yards. There was some discussion about what constituted an “attached” garage and how that was defined in the Zoning Ordinance. Under current Zoning Ordinance regulations, a garage is considered attached if it is connected by a permanent structure, such as a porte cochere, but there is no formal definition.</p>
Non-conformities	Suggestion by resident	2/7/2022	<p>Section XII of the Zoning Ordinance (attached) contains regulations regarding non-conforming structures, meaning buildings that are existing but do not meet current bulk regulations, like setbacks, for the subject zoning district. Under current regulations, non-conforming structures are permitted to continue, but any new additions must conform to current bulk regulations. Any repairs or alterations must not “increase the extent of the non-conformity.” For example, a new roof on a non-conforming structure in terms of height cannot make the building taller.</p>
Building Permit Duration for Development	Suggestion by resident	2/7/2022	<p>Building Code section 222 (attached) contains the regulations for the duration of building permits. For non-residential</p>



Adjacent to Residential			permits, there are instances where the permit expires if progress has not been made within a certain period of time or if the project has been abandoned. Within Zoning Ordinance section XIII (attached), a variation may be revoked unless work is substantially underway within one year. A special use (non-PUD) may be revoked if work is not substantially underway within 2 years.
Outdoor Uses	Suggestion by resident	2/7/2022	Zoning Ordinance section VIII.A.4 (attached) contains regulations for outdoor uses in the Business Districts.

### Article III. Temporary, Exempt and Prohibited Signs

Sec. 55.09.

#### Temporary Signs

The following signs shall be permitted anywhere within the Village and shall not require a permit. Temporary signs may only be erected on private property by or with the express consent of the property owner.

- A. **Construction Work or Activity:** Not more than two (2) signs regarding construction work or activity on the property with a total combined surface area not to exceed thirty-two (32) square feet and a maximum height, to the top of each sign, of eight (8) feet. Not more than one (1) such sign, with an identical message to another, shall be permitted. The signs shall be confined to the site of construction, may be erected after a complete building permit application is submitted, and shall be removed within seven (7) days after the issuance of an occupancy permit.
- B. **Property Sale, Lease, or Rental:** Signs regarding the sale, lease, or rental of property, not exceeding a total area of twelve (12) square feet and a maximum height, to the top of each sign, of five (5) feet advertising the sale, rental or lease of all, or part, of the premises on which the signs are displayed. One such sign is permitted for each lot or parcel and such signs shall be removed within seven (7) days after the sale is closed or the lease is signed.
- C. **Non-Commercial:** Non-commercial signs, as defined herein, not exceeding sixteen (16) square feet in area for each sign. Not more than one (1) such sign, with an identical message to another, shall be permitted. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property. Signs shall be removed within thirty (30) days after the conclusion of the event to which they pertain, if any, except as otherwise authorized or required by state and federal law. In no case may a temporary non-commercial sign be displayed for longer than one (1) year, except as otherwise authorized by state or federal law. Temporary non-commercial signs that do not meet the temporal requirements of this subsection shall require a permit. (Amended by Ord. A-923-04-17)
- D. **Development of Property:** Signs regarding property development not exceeding one hundred (100) square feet in area. Maximum height to the top of such signs shall be twenty (20) feet. One such sign shall be permitted for each thoroughfare or highway frontage of the development. Such signs may be erected upon approval of a preliminary plat of subdivision or upon submission of a building permit application and shall be removed within seven (7) days after the last lot or unit is sold.
- E. **Right-of-Way:** Signs may be placed within the public right-of-way under the following conditions:
  - 1. Signs shall be a maximum of three (3) feet in height and a maximum of four (4) feet per face.
  - 2. Signs may be placed on Saturdays and Sundays only between the hours of 9:00 a.m. and 6:00 p.m.
  - 3. That the written consent of the homeowner be obtained prior to installing signs in the public right-of-way adjoining the front, side or rear of any residential property.
  - 4. Signs must be free standing, not attached to any utility pole or structure nor any traffic control sign and placed at least 3 feet from the curb or edge of pavement.

5. No sign shall be placed within any portion of a twenty-five (25) foot sight triangle at the intersection of two streets. The sight triangle is determined by extending the curb or edge of pavement lines to a point of intersection; then measuring back along these extended curb or edge of pavement lines for a distance of twenty-five (25) feet to two points. A line drawn connecting the above determined points completes a triangle.
6. That only one sign be permitted within 150 feet of an intersection which relates to the same topic and that the next closest sign be no closer than 150 feet. Additionally, there shall be only one sign of the same topic placed in front of a single lot.
7. No attention or attracting devices such as pennants, streamers, balloons, inflatable shapes, banners, flashing lights or other illumination shall be attached to a sign or placed in the public right-of-way.
8. Each sign must have attached an adhesive label or other means to identify the name, address and telephone number of the person responsible for the placement and removal of each sign.
9. That a fine in the amount of \$50.00 will be charged to the person whose name is on the sign, if the sign is in violation of any of the above restrictions. If no names are found on the sign, the party or entity identified on the sign will be assessed the fine. Notice of each violation shall be in writing. Any person, firm or corporation charged with said violation may be issued a citation or "P" ticket. Violators issued such notices may request a hearing in the Circuit Court of DuPage County within 10 days of the date of the original violation or may settle and compromise the claim by paying to the Village the respective amounts set forth in the following schedule and within the times set forth in the following schedule: (Section 9 Amended by A-923-07-02)
  1. Payment of \$50.00 for each violation within 10 days of the date of the original violation.
  2. A FINAL NOTICE, which stipulates the date on which collection of the \$50.00 penalty shall be turned over to a collection agency approved by the Village for collection will be issued after 10 days.
  3. In the event that said payment is made after the FINAL NOTICE and prior to the collection agency taking any action to collect the penalty, \$100.00 shall be accepted as settlement.
  4. If the person accused of the violation does not settle the claim or request a hearing in the Circuit Court of DuPage County, he/she must request of the Chief of Police within 10 days of the date of the notice of violation that an administrative hearing be held. Upon receipt of a hearing request, the Chief of Police of the Village, or the designee of the Chief of Police, shall conduct the hearing. The person requesting a hearing shall be notified of the time, date and place of the administrative hearing. After the person accused of a violation has had an opportunity to present his or her testimony, the Chief of Police or the designee of the Chief of Police shall advise the person of his/her findings. If the Chief of Police or the designee of the Chief of Police determines that the violation notice was valid and that an ordinance violation occurred, the \$50.00 penalty shall be due and payable within

10 days. If the offender fails to pay the fine, the claim may be turned over to a collection agency as set forth in paragraphs 2 and 3 above.

5. In the event that actions taken by the collection agency fail to result in payment of the penalty due, a FINAL NOTICE, which stipulates the date on which filing of a complaint with the Clerk of the Circuit Court of DuPage County will be commenced, will be issued. Payment of any fine and costs shall be in such amounts as may be determined and established by the Court.

10. That signs which are removed will be kept by the Village for a period of no more than three (3) weeks. In order to retrieve the signs, the fine must be paid within the three-week period of time, otherwise they will be discarded.

11. Any noncomplying sign shall be removed.

#### Sec. 55.10.

#### Exempt Signs

The following types of signs are exempted from all provisions of this Chapter, except for construction, maintenance and safety regulations, or except as otherwise provided for herein:

- A. Signs not visible beyond the boundaries of the lot or parcel upon which they are situated or from any public thoroughfare or right of way.
- B. Official signs of any public or government agency.
- C. Any sign of any official court or public office, notices thereof, or any flag, emblem or insignia of a government entity.
- D. Any sign which is located completely within an enclosed building, and which sign is not visible from outside of the building.
- E. Tablets, grave markers, headstones, statuary/memorial plaques or remembrances of persons or events that are non-commercial in nature.
- F. Any official traffic signs authorized by the Illinois Revised Statutes, the Illinois Vehicle Code and/or the Village.
- G. Temporary signs celebrating the occasion of traditionally accepted patriotic or religious holidays as well as National and State holidays, or temporary signs of charitable, public, religious, educational or fraternal institutions or organizations to advertise a special event when such sign shall be displayed for not more than seven (7) days and shall not exceed sixteen (16) square feet for each lot. Maximum height, to the top of such signs, shall be five (5) feet. These signs shall be confined within private property and shall be removed within seven (7) days after the date of the special event.
- H. No trespassing or soliciting signs, warning signs (e.g. "Beware of Dog"), no parking, towing, and other such signs regulating the use of property when such signs do not exceed two (2) square feet in area, per each exposed face.
- I. Changing of changeable letters of attraction panels, as permitted in Section 55.11.K, and changing of copy in a display encasement or bulletin board, where no structural changes are made.



1. **Fences -- in non-residence districts**

Fences in non-residential districts, unless specifically required by other provisions of this Ordinance, may only be provided if they comply with the following provisions:

- a. Fences in non-residential districts, unless otherwise required by this Ordinance, shall be considered special uses and shall be subject to compliance with Section XIII.K of this Ordinance except as modified herein.
- b. The standards for consideration of a special use pertaining to a non-residential fence shall be limited to the standards referenced as b, c, d, and h in Section XIII.K.7 of this Ordinance and reiterated as follows:
  - i. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
  - ii. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.
  - iii. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  - iv. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.
- c. The location, height, design, and type of fence shall comply with the standards for residential fences contained in Section IV.J.1 above, except as may be specifically authorized by conditions for approval of the special use.

2. **Fences for Swimming Pools**

As regulated in the other codes and ordinances of the Village.

K. **PARKING AND STORAGE OF TRAILERS, MOBILE HOMES, MOTOR HOMES, BOATS, TRUCKS, COMMERCIAL VEHICLES, AND BUSES**

Trailers, mobile homes, motor homes, boats, trucks, commercial vehicles, and buses may be parked on private property subject to the following regulations:

1. **Trailers, Mobile Homes, Motor Homes, and Boats**

For purposes of this section, trailers, mobile homes, motor homes, and boats shall be hereinafter collectively referred to as trailers and shall comply with the following regulations:

- a. Trailers shall not be permitted to be used as dwelling units in any district as principal or accessory uses on a lot.



- b. Trailers shall not be parked or stored in the open on any lot, except one trailer owned by the occupant of a dwelling on the same property may be stored or parked in the rear buildable area or the required rear yard of a lot containing a dwelling, provided that the trailer is no wider than 8.5 feet and no longer than 35 feet, or when herein permitted in the operations of a lawfully established trailer sales establishment. (Amended by Ordinances A-834-4-02 and A-834-13-11)
- c. Temporary parking and use of trailers shall be permitted when approved by the Community Development Director for the following purposes:
  - i. Parking in the open and use of a trailer owned by the occupant of the dwelling for lodging purposes on a lot containing a dwelling, provided it is not parked or used thereon more than two days (or any portion thereof) in any consecutive 30-day period.
  - ii. Parking in the open and use of a trailer for lodging purposes on a lot during reconstruction of the dwelling on the lot when that dwelling has been destroyed by fire, tornadoes, or other acts of nature or otherwise beyond the control of the owner; provided that such use shall only be allowed when such reconstruction commences within a reasonable period of time after destruction of the original dwelling and further provided such reconstruction continues without cessation on a reasonable construction schedule.
  - iii. Parking and use of trailers for temporary office or storage uses incidental to and only for the period of time of land development and/or the construction of a building provided such trailers are located on the same or contiguous lots as the building or land development and are at such location as approved by the Community Development Director.
- d. One boat owned by the occupant of the dwelling may be stored or parked in the rear yard of a lot containing a single-family detached dwelling, provided no major repair, disassembly, or rebuilding operations are conducted thereon.

2. **Trucks, Commercial Vehicles, and Buses - Residential Districts**

Off-street parking facilities accessory to residential uses shall be used principally for the parking of passenger automobiles. Overnight, outside parking of commercial vehicles, as defined herein, is prohibited but may be permitted in a fully enclosed building or structure upon any lot or parcel of land in a residential district in accordance with the following provisions:

- a. Commercial vehicles may be stored and/or parked overnight only in a fully enclosed building or structure.
- b. No commercial vehicle shall be permanently affixed to the ground.
- c. No more than a combined total of two (2) commercial vehicles may be stored or parked overnight in a fully enclosed building or structure upon any lot or parcel of land, except as hereinafter provided.



- d. Only one (1) commercial vehicle may be stored or parked overnight for each unit in a duplex, two-family, multi-family, or townhouse structure, provided it is in a fully enclosed building or structure.
- e. For purposes of this section commercial vehicles shall be defined as follows:
  - i. Any vehicle exhibiting lettering or logos advertising a business related enterprise (other than traditional bumper stickers).
  - ii. Any vehicle with attached auxiliary equipment including, but not limited to plows, equipment, racks, storage boxes or lockers.
  - iii. Any vehicle requiring a vehicle license of Class D as regulated by the State of Illinois including but not limited to trucks, cargo vans, commercial limousines, and buses. (Amended by Ordinance A-834-19-06)
  - iv. Any vehicle containing products, equipment, debris, or materials intended for commercial or business use whether in the open, in a cargo storage area, or covered by removable material or fabric.
  - v. Any van that does not have seating behind the driver's seat and the front passenger seat or without side windows adjacent to the rear seating area such as panel vans. (Amended by Ord. A-834-03-03)

3. **Semi-Tractors and Other Similar Vehicles – Residential Districts**

Off-street parking facilities accessory to residential uses shall be used for the parking of passenger automobiles only. Parking of any vehicle with a registered weight of 16,000 pounds or greater and requiring a vehicle license of Class F or greater as regulated by the State of Illinois including but not limited to semi-tractors and other heavy vehicles is prohibited in all residence districts. (Amended by Ordinance A-834-12-07)

L. **SEWER AND WATER SYSTEMS**

1. **Connection to Public Sewer and Water Systems**

Each use hereafter established which requires sewer and water facilities shall be served by public or community sewer and water systems. However, such uses, hereafter established on lots in areas that are not served with public sewers or water systems may be served with individual sewage disposal systems or private wells, provided the Board of Trustees shall (a) find, after receiving the recommendation of the Plan Commission, that it is impractical to extend public or community sewer or water lines to serve the area, and (b) there is an irrevocable commitment by the owners of the lot that connections shall be made to a public or community sewer or water system not less than six months after any such system has been installed or extended to serve the lot.

2. **Standards for Private Systems**

Installation of individual sewage disposal systems and private wells or community sewer and water systems shall be in accordance with standards and specifications set

## Restaurant Hours of Operation and Live Entertainment

**Zoning Ordinance Section VIII.A.11: Permitted hours of operation are 7a-10p in the Business District.  
The closing time for restaurants with liquor licenses within the Business Districts are midnight on Su-W, 1a Th, and 2a F, Sa.**

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
Are We Live	4p-11p W, Th	Midnight M-Su	Y	N
	4p-12a F, Sa			
	12p-10p Su			
Auntie Amy's Home Cooking	10a-7p Tu-F	N/A	N	N
	8a-3p Sa			
Capri	11:30a-10p M-Th	11a-11p M-W	Y	N
	11:30a-11p F, Sa	10a-1a Th-Sa		
	2p-9p Su	4p-11p Su		
Capri Express	10a-9p M-Th	N/A	N	N
	10a-10p F, Sa			
	10:30a-9p Su			
China King	11a-9p M-Th	N/A	N	N
	11a-9:30p F			
	12p-9:30p Sa			
	4p-8:30p Su			
Ciazza Kitchen + Bar/The Marriott (this property is zoned O-2)	4p-12a M-Sa	N/A	Y	N
	4p-11p Su			
Cooper's Hawk	11a-9p M-Su	10a-1a F, Sa	Y	Y
County Wine Merchant	2p-11p Tu-Th	Midnight Su-W	Y	Y
	2p-12a F, Sa	1a Th		
		2a F, Sa		
Dao Sushi and Thai	11a-9p M-F	11p Su-W	Y	Y
	12p-9p Sa	1a Th-Sa		
	12p-9p Su			
Eddie Merlot's	5p-9p M-Th	N/A	Y	Y
	5p-10p F, Sa			
	4p-8p Su			
Falco's	11a-9p Su-Th	10:30p M-Th	Y	N
	11a-10p F, Sa	midnight F, Sa		
Great American Bagel	6a-4p M-Sa	Unable to locate Ord. allowing 6a open	N	N
	Su 6-3p			
Johnny Cab's	Not yet posted	Midnight Su-W	Y	Y
		1a Th		
		2a F, Sa		
Kirsten's Bakery	9a-2p M	Unable to locate Ord. allowing 6a open	N	N
	6a-3p Tu-F			
	7a-3p Sa			



## Restaurant Hours of Operation and Live Entertainment

Establishment Name	Posted Hours*	Approved Hours**	Liquor Service	Live Entertainment***
La Cabanita	11a-9p M	N/A	Y	Y
	11a-10p Tu-Sa			
McDonald's	5:30a-11p	5a-11p	N	N
Olive Tree	Not yet posted	N/A	Unknown	N
Patti's Sunrise Café	7a-2p M-F	N/A	Y	N
	7:30a-2p Sa, Su			
Pella	Not yet posted	1a	Unknown	N
Sip & Savor/Crowne Plaza	4p-9p M-Su	N/A	Y	N
Sip & Savor Lounge/Crowne Plaza	5:30p-10p M-Su			
Starbuck's	5a-9p	5:30a M-Su	N	N
Stix & Stones	11a-9p M-Th	N/A	Y	N
	11a-10p F, Sa			
	11a-8p Su			
The Hampton Social	3p-10p M-Th	Midnight Su-W	Y	Y
	3p-11p F	1a Th-Sa		
	10a-11p Sa			
	10a-9p Su			
Topaz	4p-9:30p M	N/A	Y	N
	11a-9:30p Tu-Th			
	11a-10p F			
	4p-10p Su			
Wok n Fire	11:30a-9p Su-Th	N/A	Y	Y
	11:30a-10p F, Sa			
Yolk	7a-2:30p	N/A	Unknown	N

\*Posted hours taken from websites or Google. Some restaurants close during the day for a few hours.

\*\*If outside permitted hours or stipulated by a special use.

\*\*\*With an approved special use.



- b. For any development of a property within a Business District which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations. No occupancy permit shall be issued until the required screening has been completed in strict accordance with the approved plan.

**11. Hours of Operation for Business Uses**

- a. The hours of operation for all uses within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein.
- b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.
- c. The hours of operation for restaurants with liquor licenses shall be as follows and subject to the terms and conditions as follows:
  - 1) The closing time for restaurants with liquor licenses shall be 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays (i.e. Friday at 1:00 AM); and 2:00 AM on Fridays and Saturdays (i.e. Saturday and Sunday at 2:00 AM). Except however, on December 31 of each year the permitted closing time shall be extended to 2:00 AM regardless of the day of the week (i.e. 2:00 AM on January 1).
  - 2) Restaurants with liquor licenses shall provide service of food prepared on-site up to a minimum of one hour before closing.
  - 3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.  
(Amended by Ordinance A-834-03-12).



## BURR RIDGE ZONING ORDINANCE

### SECTION XII NON-CONFORMING BUILDINGS, STRUCTURES AND USES

#### A. STATEMENT OF PURPOSE

The purpose of this Section is to provide for the regulation of legal nonconforming uses, buildings, and structures, and to specify those circumstances and conditions under which those nonconforming buildings, structures, and uses shall be gradually eliminated upon reaching the end of their respective normal useful life or upon their discontinuance or partial or total destruction, and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall be permitted to continue until such time as they are eliminated in accordance with the authority granted by Illinois law.

Any uses, buildings, or structures which did not conform with all applicable codes of the public entity having jurisdiction (i.e. County or Village) at the time they were built or the use of the land established, are considered illegal nonconforming uses and must be abated unless otherwise allowed by special use approval as per Section XII.F of this Ordinance.

The regulations contained in this Section purposefully distinguish between different types of nonconformances. There are two general classes of nonconformance of concern to the Village: (1) nonconformance as to use, and (2) nonconformance as to bulk.

#### 1. Nonconformance as to Use

A use not listed as a permitted use, or otherwise made allowable by special or conditional use permit, within the zoning district in which it is located is considered nonconforming as to use. Nonconforming uses can exist in buildings or structures designed or intended for such nonconforming use. Alternatively, they can exist in buildings or structures not designed for such uses but rather in buildings or structures intended for uses permitted in the applicable zoning district. It is the intent of these provisions to distinguish between those two types of use nonconformance.

#### 2. Nonconformance as to Bulk

A building or structure conforming in terms of use but not meeting the standards established for bulk and yard requirements in the zoning district in which they are located represent nonconformance as to bulk. This can occur in one of two ways: it either complied with the bulk regulations of the Village when constructed but those regulations have been subsequently amended in a manner causing the nonconformance, or it was located in an unincorporated area and complied with



all county bulk regulations and since then was annexed to the Village which had different bulk regulations causing the nonconformance. It is the intent of these provisions to keep this type of nonconformance from further divergence from the bulk regulations established in the zoning district in which it is located and to eventually eliminate them.

**B. AUTHORITY TO CONTINUE NONCONFORMING BUILDINGS, STRUCTURES, AND USES**

Any nonconforming building, structure, or use which existed lawfully at the time of the adoption of this Ordinance, and any such building, structure, or use which shall become nonconforming upon the adoption of this Ordinance, or any subsequent amendments thereto, or which lawfully existed in an unincorporated area and became nonconforming upon annexation to the Village may be continued subject to the regulations which follow.

**C. RESTRICTIONS ON NONCONFORMING BUILDINGS, STRUCTURES, AND USES**

Any lawfully existing building or structure which does not conform to the regulations of the district in which it is located may be continued, subject to the provision of this Section XII.C.

**1. Repairs and Alterations**

a. **Building or Structure Designed or Intended for a Nonconforming Use.** Repairs and alterations may be made to a nonconforming building or structure designed or intended for a nonconforming use, provided that no structural alterations which increase the bulk of the building or structure shall be made in or to a building or structure, except those required by law or except to make the building or structure, and/or the use thereof, conform to the regulations of the district in which it is located. For the purpose of this Section, repairs shall include the replacement of storage tanks where the safety of operation of the installation requires such replacement, and other replacements of, or substitutions for, machinery or equipment not involving structural alterations to the building or structure, except as herein above provided.

b. **Building or Structure Designed or Intended and Used for a Permitted Use.** Repairs, alterations and structural changes may be made to a building or structure, all or substantially all of which is designed, intended and actually being used for a use permitted in the district in which is located but which is nonconforming as to bulk, provided, however, that such repairs, alterations or structural changes conform to the regulations of the district in which such building or structure is located and further provided they do not increase the degree of nonconformance with the bulk regulations of said district.



- c. **Building or Structure Designed for But Not Used for a Permitted Use.** Repairs, alterations, and structural changes may be made to a nonconforming (as to bulk) building or structure, all or substantially all of which is designed or intended for a use permitted in the district in which it is located even though the actual use of such building or structure is not permitted in such district, provided said repairs, alterations, or structural changes conform to the regulations of the district in which said building or structure is located.

2. **Additions and Enlargements**

A nonconforming building or structure which is nonconforming as to bulk, and is designed or intended for a permitted use, shall not be added to or enlarged in any manner unless such additions or enlargements thereto are made to conform to all of the yard regulations of the district in which it is located. A nonconforming building or structure which is nonconforming as to actual use shall not be added to or enlarged in any manner.

3. **Relocation of Building or Structure**

No building or structure shall be moved in whole or in part to any other location on the same or any other lot unless every portion of such building or structure which is moved, and the use thereof, is made to conform to all of the regulations of the district in which it is to be located.

4. **Restoration of Damaged Building or Structure Designed or Intended for Nonconforming Use**

- a. A nonconforming building or structure which is destroyed shall not be rebuilt unless the new building or structure conforms to all of the regulations (including permitted uses thereof) of the district in which it is located; provided, however, if such building or structure was nonconforming only as to bulk regulations, it may be rebuilt in the same location provided that the degree of nonconformance is not increased and further provided that it is determined by Village Board action that there exists no reasonable alternative location which would eliminate or substantially reduce the degree of nonconformance.

- b. A nonconforming building or structure, except those identified by Village Board action as being of historic significance, which is damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition it was in before the occurrence shall exceed 50 per cent of what it would cost to rebuild the entire building or structure shall not be restored unless said building or structure, and the use thereof, shall conform to all of the regulations of the district in which it is located.



- c. In the event such damage is less than 50 percent of the cost of rebuilding the entire building or structure, no repairs or reconstruction shall be made unless such restoration is started within sixty (60) days from the date of partial destruction and completion accomplished within one year from the date of partial damage.

If the restoration is not started within sixty (60) days of official notice by the Community Development Director and diligently prosecuted to completion, the building or structure shall be removed and the area cleared. However, any building or structure designated by the Village Board as being historically significant shall be allowed one year to start restoration.

**5. Discontinuance of a Nonconforming Use**

If the nonconforming use of a building, structure, or land is discontinued for a continuous period of six (6) months, it shall not be renewed, and any subsequent use of the building, structure, or land shall conform to the use regulations of the district in which such building, structure, or land is located.

**6. Expansion of Nonconforming Use**

**a. Building or Structure Designed or Intended for a nonconforming Use.**

The nonconforming use of part of a building or structure, all of which is designed or intended for a use not permitted in the district in which it is located, shall not be expanded or extended throughout the building or structure in which said use is presently located, nor changed to any other nonconforming use.

**b. Building or Structure Designed or Intended for a Permitted Use.**

The nonconforming use of part of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located, shall not be expanded or extend into any other portion of such building or structure nor changed to any other nonconforming use.

- c. **Land.** The nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall not be expanded or extended beyond the area it occupies.

**7. Change of Nonconforming Use**

**a. Building or Structure Designed or Intended for a Nonconforming Use.**

The nonconforming use of part or all of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may not be changed to another



nonconforming use.

- b. **Building or Structure Designed or Intended for a Permitted Use.** No nonconforming use shall be changed to another nonconforming use when such nonconforming use is located in a building or structure, all or substantially all of which building or structure is designed or intended for a permitted use.
- c. **Land.** The nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall not be changed to any other use, except to a use permitted in the district in which the land is located.

**D. ELIMINATION OF NONCONFORMING BUILDINGS AND STRUCTURES**

In all Residence Districts, any building or structure, all or substantially all of which is designed or intended for a use allowed only in a non-residential district, and any building or structure which is located in a non-residential district and which is designed or intended for a use allowed only in another non-residential (or residential) district shall be removed or shall be altered, remodeled or converted for a permitted use within six (6) months after the amortization period of such building or structure, which is hereby established as set forth below:

**1. Assessed Valuation\* More than \$50,000**

In accordance with the types of construction classification set forth in the Building Code of the Village of Burr Ridge, Illinois.

- a. Fireproof Construction and Non-Combustible Construction -- 40 years from date of original building permit or ten (10) years following annexation into the Village of the property on which the nonconforming building or structure is located or July 1, 2001 -- whichever last occurs.
- b. Exterior Masonry Wall Construction -- 30 years from date of original building permit or ten (10) years following annexation into the Village of the property on which the nonconforming building or structure is located or July 1, 1997 -- whichever last occurs.

**2. Assessed Valuation\* Not Less than \$10,000 But Not More than \$50,000**

Eight years from date of original building permit or July 1, 1995 -- whichever last occurs.



**3. Assessed Valuation\* Less than \$10,000**

Four years from date of original building permit or July 1, 1995 -- whichever last occurs.

\*Note: Assessed valuations referred to in (1), (2), and (3) above are the unequalized assessed valuations as determined by DuPage or Cook County, Illinois, as most recently determined.

**E. ELIMINATION OF NONCONFORMING USES**

This Section is intended to gradually eliminate inappropriate uses of buildings or structures designed or intended for uses allowed within the district in which it is located.

1. In all Business and Transitional Districts any use of a building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business or Transitional District, but is being used for a use permitted only in a Residential, Office or Manufacturing District, shall be terminated by July 1, 2006.
2. In all Manufacturing Districts any use of a building or structure, all or substantially all of which is designed or intended for a use permitted only in a Manufacturing District but is being used for a use permitted only in a Residential, Office, Business or Transitional District, shall be terminated by July 1, 2006.
3. The nonconforming use of land shall be discontinued and cease by January 1, 1997 in each of the following cases:
  - a. Where no buildings or structures are employed in connection with such use.
  - b. When the only buildings or structures or other physical improvements are accessory or incidental to such use.
4. A nonconforming use of land which is accessory to the nonconforming use of a building or structure shall be discontinued on the same date the nonconforming use of the building or structure is discontinued.
5. Improvements underground or substantially at ground level, which comprise all or substantially all of the improvements employed in a nonconforming use of land, which have a current unequalized assessed value in excess of \$5,000 shall be deemed a nonconforming structure and shall be subject to the applicable provisions of this Section.





F. **SPECIAL USE PROVISION FOR ELIMINATION OF NON-CONFORMING USES**

1. **Legal and Illegal Non-conforming Use Distinguished**

For the purposes of this section only, any non-conforming use in existence on the effective date of this Ordinance or upon annexation to the Village of the property on which the use exists subsequent to the effective date of this Ordinance, is a legal non-conforming use only if, in the opinion of the Community Development Director, the use was permitted at the time the use came into existence under the then applicable Village or County zoning ordinance use restrictions. All other non-conforming uses in existence on the effective date of this ordinance are hereby deemed illegal.

The Community Development Director shall make the determination of whether a non-conforming use in existence at the time of the effective date of this Ordinance is legal or illegal, as defined herein, upon review of any evidence pertaining to prior use and prior zoning ordinance use restrictions which is submitted by the owner of the property (or his or her designee). The sole remedy to appeal such a decision is to seek a special use permit as provided for in Section XII.F.2 of this Ordinance.

2. **Illegal Non-Conformance with Use Standards Adjacent to Residential Uses.**

Any use, permitted or non-conforming, shall become subject to and be brought into compliance with the performance standards of this Ordinance upon annexation into the Village of Burr Ridge. It is the purpose and intent of these provisions of this Ordinance, to bring those uses which are non-conforming under the performance standards of this Ordinance, for manufacturing and industrial-type uses in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping, delivery, loading and/or unloading of goods, or testing of materials, goods or products, which are adjacent to or within 500 feet of any residential use(s), into immediate compliance with such performance standards. A grace period of up to nine (9) months to achieve compliance with a particular performance standard(s) may be allowed upon a showing by the property owner that compliance with a particular use/performance standard will require substantial expenditures, or additional time, to achieve the retrofitting, modifications or adjustments to vehicles, equipment, machinery, plantings, or construction required to comply with the particular use/performance standard(s).

A property owner seeking additional time to comply with the performance standards of this Ordinance shall make a showing of such need to the Community Development Director, who is then authorized to determine whether the property owner has demonstrated the need for the grace period set forth herein. The property owner may pursue an appeal of such determination as provided under



Section XIII.I of this Ordinance. (Amended by Ordinance A-834-5-10)

**3. Special Use Option**

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



underpinning, change of use, moving or wrecking of any building, structure, or portion thereof without having first made application to and secured the necessary permit therefore. Any person, firm or corporation so doing shall be subject to the general penalty for violation of the Building Ordinance. The building permit shall carry with it the right to install any crane, derrick, material elevator, heating or lighting apparatus, inside the lot line which may be required for temporary use during the progress of the work.

There is miscellaneous type work such as concrete patios, landscaping without grade changes and repairs (see Section 221) which will not require a building permit. The Building Commissioner shall inspect any such projects and make the final decision as to the applicability of this section. It is the obligation of the property owner or their agent to consult with the Building Commissioner to determine the application of this section.

221. **Permit Waived for Ordinary Repairs** A permit will not be demanded for ordinary repair work incidental to the upkeep of a building or structure, provided there is not contemplated or involved any change in the classification or any increase in the fire hazard thereof. The Building Commissioner shall make the final determination as to the meaning of “ordinary repair work.” Nothing in this section contained shall be interpreted or construed to allow any work included in the permit exemptions thereof to be done in any manner contrary to the requirements of the Building Ordinance and other laws or ordinances. Violations of said Ordinance in any work not required to be done under a permit shall be subject to the general penalty of said Ordinance the same as if a permit has been required.

222. **Duration of Building Permits**

222.1 Any building permit approved pursuant to this Ordinance under which the building permit fee has not been paid in full within three (3) months from the date of approval, shall expire automatically by date of approval of the Building Commissioner; and the fees paid therefore, if any, shall be forfeited to the Village.

222.2 Any building permit issued pursuant to this ordinance under which no substantial progress shall have been made within six (6) months from the date of issuance thereof shall expire automatically by limitation and may not be extended or renewed without the written approval of the Building Commissioner; and unless such permit is surrendered to the Village Clerk within two (2) months after its expiration for such cause the fees paid therefore shall be forfeited to the Village. However, under any circumstances the Plan Exam fee will not be returned.

222.3 Any building permit issued hereunder shall expire automatically upon cessation of work for more than two months. A cessation of work shall be deemed to have occurred in any case where for any such period no substantial progress has been made in the work for which a permit has been issued and all fees paid shall be forfeited to the Village.



222.4 A building project shall be considered abandoned if no significant progress has been made for a period of six (6) months or more. A building, structure, or part thereof so abandoned shall be declared a public nuisance by the Building Commissioner and the Board of Trustees and shall be dealt with accordingly.

222.5 Substantial progress for purposes of this ordinance shall be defined as the amount of work a journey tradesperson can perform in one week.

222.6 A building permit for a single-family residence, single-family residential room addition, or a building or structure accessory to a single-family residence shall expire automatically if all exterior work is not completed within one year from the date of the first scheduled footing inspection as per Section 269.2 herein or within one year from the issuance of a permit if there is no footing inspection. A stop-work order shall be issued for all interior work if the exterior work is not completed within two years from the date of the first scheduled footing inspection as per Section 269.2 herein or within two years from the issuance of a permit if there is no footing inspection. Completion of exterior work shall include, Exterior work shall include, but not be limited to the following:

222.6.1 Completion of the exterior façade, including but not limited to doors, windows, and siding, the roof of the building, paving of driveway(s), final grading, and required landscaping; (Amended by Ord. A-250-01-17)

222.6.2 Removal from the exterior of the property of all construction fencing and unneeded appurtenances including building materials, construction trailers and equipment, and construction fencing. Dumpsters and portable sanitation facilities may remain on the site as may be needed but shall be moved to a hardsurfaced area or inside a garage whenever possible. (Added by Ord. A-860-1-02)

222.7 A building permit that has or will expire as per Section 222.6 above, may be extended as follows:

222.7.1 Completion of landscaping and driveways may be extended without further action when the deadline for completion falls between October 16 and March 31 as per Section 272.8 herein.

222.7.2 The Building Commissioner may grant an unlimited number of 90-day extensions upon written request by the permit applicant and payment of an extension fee as per Section 222.7.3 below. Permits that must remain valid beyond one



year from the footing inspection or from the issuance date to complete work must be renewed via 90-day extensions.

222.7.3 For each extension granted as per Section 222.7.2 above, an extension fee shall be paid as follows:

	<b><i>Work Remaining</i></b>	<b><i>Fee*</i></b>
<b><i>First 90-day Extension</i></b>	<i>Site Improvements**, Only</i>	25%
<b><i>First 90-day Extension</i></b>	<i>Building w/or w/o Site Improvements</i>	50%
<b><i>Second 90-day Extension</i></b>	<i>Site Improvements**, Only</i>	25%
<b><i>Second 90-day Extension</i></b>	<i>Building w/or w/o Site Improvements</i>	50%
<b><i>Third 90-day Extension</i></b>	<i>Site Improvements or Building</i>	50%
<b><i>Fourth 90-day Extension</i></b>	<i>Site Improvements or Building</i>	50%
<b><i>Each Additional 90-day Extension</i></b>	<i>Site Improvements or Building</i>	100%
*	<i>Percent of Original Building Permit Fee</i>	
**	<i>Site Improvements include walks, drives, grading, ground cover, and removal of silt fencing, dumpsters, and other outside construction appurtenances</i>	

(Amended by Ord. A-250-01-17)

224. **Issuance of Permits** Permits authorized to be issued and required to be obtained under the Building Ordinance shall be issued by the Building Commissioner when the application therefore and the plans submitted therewith shall have been approved by the Building Commissioner and all fees have been paid.

225. **Application for Permits** When any person, firm, or corporation shall be desirous of constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, moving, changing the use as defined by the building code, or wrecking any building structure, or portion thereof, the Village shall make a written application therefore upon the blank forms furnished for such purpose. This application shall be filed with the Building Commissioner and shall set forth the following:

225.1 The name, telephone number, fax number, and address of the applicant.

225.2 The name, telephone number, fax number, and address of the architect, structural engineer, or other licensed design professional permitted by the



- 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 Zoning Board of Appeals may recommend and the Village Board of Trustees may impose such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards established in this section and the objectives of this Ordinance.

#### 4. **List of Variations**

Variations from the regulations of this Ordinance which meet the standards established above, may be recommended by the Zoning Board of Appeals and granted by the Village Board of Trustees only in the instances described herein and in no others. The listing of the following variations does not in any way obligate the Village of Burr Ridge to approve such variations. Each variation requested must meet the standards for variations contained herein:

- a. To permit any yard or setback to be less than the setback or yard required by the applicable regulations.
- b. To permit a modification to the area, width, or shape of a lot or lots.
- c. To permit a modification to the parking and loading regulations including but not limited to parking variations whereby land is set aside to accommodate future increases in parking demand (i.e. land banking of parking).
- d. To reduce the land area required for use of the planned unit development provisions of this Ordinance from that amount required in each zoning district.
- e. To increase the maximum gross floor area of any use so limited by applicable district regulations.
- f. To increase the maximum allowable building height of any use in any district.
- g. To permit outside storage in a manufacturing district.
- h. To permit modifications to the regulations for accessory buildings, structures, and uses including but not limited to fences, sheds, and pools.

Recommendations for approval, approval with conditions or disapproval shall be referred to the Village Board, incorporating the Zoning Board of Appeals findings of fact for final action.

The Village Board of Trustees may authorize applications for variations other than those listed above. In such cases, the Village Board of Trustees must direct the Zoning Board of Appeals to hear the variation request, hold a public hearing and submit recommendations. Provided, however, in no event shall a specific use be permitted by variation which otherwise would not have been allowed.

#### 5. **Revocation**

Where a variation has been granted pursuant to the provisions of this Ordinance, such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Village Board of Trustees.



herein set forth. If the Community Development Director determines that the proposed change is minor, then it shall be referred to the Plan Commission for review and a recommendation to the Village Board of Trustees. No public hearing shall be required. After review and consideration of a minor change, the Plan Commission may recommend to the Village Board of Trustees such modifications as it deems appropriate without the requirement for further public hearings, and the Village Board of Trustees shall then make such decision on the proposed minor change as it deems appropriate. There is no specific right to any such modifications and, therefore, the decision of the Village Board of Trustees shall be final. If the decision is to approve any such minor change, the applicant shall be bound to develop the special use in accordance with such decision and the modified site plan and any modifications to the conditions and guarantees which the Village Board of Trustees shall require.

- a. **Minor Changes** - A minor change is any change in the site plan or design details which is consistent with the standards and conditions applying to the special use heretofore granted and which does not alter the concept or intent of the special use permit. A minor change shall not increase the project's density, the height or number of buildings and structures or the number of signs; shall not reduce open space, and shall not add new parking or other paved areas or new lighting.
- b. **Substantial Changes** - A substantial change shall be any change other than a minor change.

**11. Effect of Denial of Special Use**

No application for the same or substantially similar special use, which has been denied wholly or in part by the Village Board of Trustees, shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Village Board of Trustees.

**12. Revocation**

In any case where construction of a special use (other than a planned unit development) has not been commenced within six months of Board approval or has not been substantially completed within two years of Board approval, all in accordance with the terms of the special use originally granted, then the special use and authorization thereof, shall be null and void unless extended by the Board of Trustees.

In connection with a planned unit development, in any case where commencement of the plat process for said planned unit development has not occurred within three months after approval of the planned unit development by the Village Board, or in any case where construction has not been commenced within six months after approval of a plat of subdivision for the planned unit development (or any portion thereof), or in any case where construction has commenced within the required time period but does not thereafter continue with reasonable progress, the special use which was originally granted shall be null and void unless time is extended by the Board of Trustees.

**L. PLANNED UNIT DEVELOPMENTS**

**1. Purpose and Description of Planned Unit Developments**

The purpose of the planned unit development provisions of this Ordinance is to provide a mechanism to accommodate development of an area of the minimum size established in specific district regulations set forth in this Ordinance which is in the



## BURR RIDGE ZONING ORDINANCE

### SECTION VIII BUSINESS DISTRICTS

#### A. GENERAL PROVISIONS

##### 1. Permitted Uses

- a. No building, structure, or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building, structure, or tract of land shall be located, with the exception of the following:
  - (1) Uses lawfully established on the effective date of this Ordinance. Uses already lawfully established on the effective date of this Ordinance and rendered non-conforming by the provisions shall be subject to the regulations of Section XII.
  - (2) Special uses as allowed in each district.
- b. All business establishments shall be retail trade, office or service establishments dealing directly with consumers and all goods produced on the premises shall be sold on the premises where produced; provided, however, if the premises are less than 3,000 square feet in size and both sells and produces such goods on the premises, such goods may also be sold off-premises as well.

##### 2. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development. In addition, no building or structure shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building or structure is located.

##### 3. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

##### 4. Operation Within Enclosed Buildings

All business, service, storage, merchandise display, repair, and processing, where allowed, shall be conducted within a completely enclosed building, except as follows:

- a. Outdoor activities are permitted for uses which by definition require outdoor activities such as parking and loading areas, automobile service stations, car washes, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses, such as outdoor dining areas, drive-through windows, and outdoor displays of merchandise, may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to Section XIII, herein.





- c. Temporary (for a limited duration of time) outdoor activities may be permitted subject to written approval by the Community Development Director. Such activities shall not include any permanent improvements, buildings, or structures. Outdoor activities which may be permitted include festivals, tent sales, or seasonal sidewalk sales.

**5. Outdoor Dining**

Restaurant outdoor dining areas, when permitted as a special use, shall be subject, at a minimum, to the following:

- a. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- b. Door to the dining area shall be self-closing;
- c. Tables shall be cleaned promptly following use;
- d. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- e. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- f. No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant;
- g. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- h. Outdoor food preparation, storage or display is prohibited;
- i. Hours of operation of an outdoor dining area shall be as specifically approved by the Village.

**6. Nuisances**

Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste, or any other environmental reason. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products, shall conform with the performance standards established in this Ordinance for Manufacturing Districts, provided that performance standards shall in every case be applied at the boundaries of the lot on which such activity takes place.

**7. Parking and Loading**

- a. With the exception stated below regarding delivery trucks of a business establishment, parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.
- b. Delivery trucks for a business establishment may be parked overnight on a property within the B-1 or B-2 Districts subject to the following:
  - 1. Parking of delivery trucks shall be limited to two per business