



**REGULAR MEETING
PLAN COMMISSION/ZONING BOARD OF APPEALS
JUNE 6, 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 MAY 16, 2022 MEETING MINUTES

III. PUBLIC HEARINGS

A. Z-15-2022: 7950 Drew Avenue (Perino/Jarper Properties LLC); Special Use, PUD Amendment and Findings of Fact [REMANDED BACK FROM MAY 23, 2022 VILLAGE BOARD MEETING]

Request to consider a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance. This major change will reduce the open space in the PUD and increase the garage area for the proposed homes.

B. Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18, 2022]

Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

C. Z-12-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section IV.K of the Zoning Ordinance to amend the definition for a commercial vehicle and regulations for commercial vehicles in residential districts

V. CORRESPONDENCE

**A. Board Reports
May 23, 2022**

**B. Building Reports
April 2022**

VI. OTHER CONSIDERATIONS

A. PC-02-2022: 10S381 Madison St. (Musa); Extraterritorial Review of Rezoning and Plat of Subdivision [FROM APRIL 4, 2022 MEETING BUT PETITION WAS REVISED]

Review of a DuPage County rezoning request from R-1 Single Family to R-2 Single Family with variations for lot size on Lot 2 and Lot 3 from 40,000 sq. ft. to 36,000 sq. ft. and a proposed three-lot subdivision.

VII. PUBLIC COMMENT

VIII. FUTURE MEETINGS

June 13 Board of Trustees

Commissioner Parrella is the scheduled representative.

June 20 Plan Commission

A. V-03-2022: 10S675 Glenn Dr. (Rohan); Variation and Findings of Fact

Request for variations to permit a detached accessory building (garage) within the corner side yard area and within the corner side yard setback, from 30 ft. to 5 ft., pursuant to Zoning Ordinance Sections IV.I.1, VI.F.7.a, IV.H.4, and IV.H.7.

B. Z-10-2022: 9115 Kingery Highway (Thorntons LLC) AMENDED PETITION; Special Uses, PUD Amendment, Variations, and Findings of Fact [REMANDED FROM MAY 23, 2022 VILLAGE BOARD MEETING]

Amended request for the automobile gasoline sale station to include 24-hour operation.

C. Z-16-2022: 6860 North Frontage Rd. (Action Behavior Centers); Special Uses and Findings of Fact

Requests special uses for a child care center pursuant to Zoning Ordinance section X.E.2 and for a fence in a non-residential district pursuant to section IV.J.1.

D. Z-17-2022: Vacant/901 McClintock Dr./PIN 18-30-303-019-0000 (Cornersite, LLC); Rezoning, Special Use, Variation, Planned Unit Development, and Findings of Fact

Requests to rezone the property from O-2/Office & Hotel to R-5/Single-Family Residential, a variation for minimum area for R-5 from 80 contiguous acres to 4.876 acres, and a variation to permit a planned unit development on less than 20 acres and less than 800 ft. of lot width all as per Zoning Ordinance section VI.H, and a special use for a planned unit development pursuant to section VI.H and XIII.L.

E. Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16, 2022]

Due to case load for this agenda, staff will request that this be continued until July 18 when more time allows for discussion. Request to consider text amendments to Section XIV.B of the Zoning Ordinance to create a definition for an attached garage.

F. Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16, 2022]

Due to case load for this agenda, staff will request that this be continued until July 18 when more time allows for discussion. Request to consider text amendments to Section 55.09.E of the Sign Ordinance to clarify regulations pertaining to right-of-way signs.

June 27 Board of Trustees

Commissioner Petrich is the scheduled representative.

July 4 Plan Commission – CANCELLED

Meeting cancelled due to holiday.

July 11 Board of Trustees

Commissioner Morton is the scheduled representative.

July 18 Plan Commission

A. Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 and JUNE 20, 2022]

Request to consider text amendments to Section XIV.B of the Zoning Ordinance to create a definition for an attached garage.

B. Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 16 and JUNE 20, 2022]

Request to consider text amendments to Section 55.09.E of the Sign Ordinance to clarify regulations pertaining to right-of-way signs.

July 25 Board of Trustees

Commissioner Broline is the scheduled representative.

IX. ADJOURNMENT

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF MAY 16, 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 Police Department Training Room, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 7 – Petrich, Broline, Stratis, Morton, Parrella, McCollian, and Trzupek

ABSENT: 1 - Irwin

Community Development Director Janine Farrell was also present.

II. APPROVAL OF PRIOR MEETING MINUTES – MAY 2, 2022

Commissioner Petrich corrected that Commissioner Morton was the individual who requested additional information be added about ADA and noise on page three of the minutes.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to approve the minutes of the May 2, 2022 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 7 – Petrich, Morton, Stratis, Broline, Trzupek, Parrella and McCollian

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting. By a show of hands, Chairman Trzupek confirmed that the majority of the public present wished to comment on Z-15-2022. The Commission consented to amending the agenda to allow for that case to be presented first.

Z-15-2022: 7950 Drew Avenue (Perino/Jarper Properties LLC); Special Use, PUD Amendment and Findings of Fact

Request to consider a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance.

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that the petitioner is Tony Perino of Jarper Properties LLC. The property is zoned R-3 and was approved for a PUD

on September 10, 2018 in order to construct eight homes on 8.87 acres. The development was called the Cottages of Drew. As part of the approval, the petitioner was required to come back to the Commission and Village Board for final approval of engineering plans, landscaping plans, and building elevations. As the petitioner was developing these documents, the petitioner amended the plans to allow for three-car garages on six of the eight homes. This increase in garages resulted in a reduction of open space. The petitioner provided four building elevations, landscaping plans, final engineering plans, and the Final Plat of Subdivision. Mrs. Farrell noted decks and patios on the site plan extending beyond the limits of the residential lots. Staff recommends adding a condition to include deck/patio easements on the Final Plat of Subdivision, similar to the Savoy Club. This would allow the encroachment into the open space up to 12 ft. extending from the rear of the house. For the landscaping plans, a condition in 2018 required additional landscaping along the west side of the property which was provided on the updated 2022 plans. Staff had five recommendations for conditions should the Commission recommend approval.

Chairman Trzupek confirmed the request before the Commission and reason for the public hearing was a major change to a PUD due to the increase in the garage space which resulted in a reduction of the open space. The petitioner is also requesting approval of the final engineering plans, landscaping plans, and building elevations.

Nick Patera, on behalf of the petitioner, did not have any additions to the presentation. Mr. Patera noted the site plan comparison from 2018 to 2022 and that there were only minor differences between the two. There are three car garages proposed for only six of the eight homes.

Chairman Trzupek disclosed that his firm has worked with Mr. Patera's firm in the past but not on this project.

Robert Ferro, 7933 Hamilton, expressed concern about the pond to the west. Mr. Patera clarified it was a pre-treatment settlement basin or dry area. Mr. Ferro asked how much separation is provided to the west or if an easement is present. Mr. Ferro wanted to ensure that there was no change to the western side. Mr. Patera stated that just the structures shifted on the west, there were no other changes from 2018. Mr. Patera confirmed that there are trees proposed along the western side.

Mark Thoma, 7515 Drew, stated that although it is only a 0.94% decrease in open space, the developed area is only 2.7 acres which is substantial decrease for the small area. Mr. Thoma was concerned about the small spaces between the homes and the driveways and that 2/3 of the house is garage door which ruins the aesthetics. Mr. Thoma stated that the homes do not have side-loaded garages or a variety of styles.

Scott McGuire, 120 79th Street, was concerned about the existing flooding in the area and how the reduction in open space would further impact the flooding. Mr. McGuire asked if there would be any mitigation or other measures to address the issues. Mr. Patera confirmed that the stormwater detention was designed for over compensation by 20% and patios were always part of the original plans. Mr. Patera stated that they are aware of what is occurring in the area and that this over compensation should improve the issues.

Chairman Trzupek asked about the detention ponds. Mr. Patera stated that there is one existing pond, but there is an additional pond to the east and a pre-treatment basin to the west. Chairman Trzupek and Commissioner Stratis clarified with Mr. Patera that the wetland area will not be dredged or expanded, but the other two areas will overflow into the area.

Joanne Palmisano, 15W230 79th Street, stated that there are holes in the front yards along 79th Street and that the Village Engineer at the time promised that the home to her west would not cause drainage issues but that her property has ponding of water in the yard. Ms. Palmisano noted the repeated flooding along Drew. Ms. Palmisano said that the homes look like a city block while the other homes in the area have retained their open space and large lots.

Chairman Trzupek clarified the previous 2018 approval in terms of detention and that the 2022 proposal is a decrease in open area and asked if the engineering was altered due to the increase in impervious surfaces. Mr. Patera stated that no changes in stormwater were made because the basins were already designed at 20% over. Mr. Patera confirmed that DuPage County will also be required to review the plans. Chairman Trzupek confirmed with Mr. Patera that the new plans cut into the 20% over compensation.

Alice Krampits, 7515 Drew, questioned if the 20% was a requirement, then the stormwater needs to be adjusted to maintain the 20%.

Mrs. Farrell confirmed that the Stormwater Report revised in August 2021 stated that 30% more volume is being provided.

Chairman Trzupek clarified that 30% is being provided which is over the 20% which the Village required. Mr. Patera confirmed that slightly less than 30% is being provided.

Ms. Krampits expressed concerns about drainage and questioned why three-car garages are being proposed. Mr. Perino stated that they received inquiries from interested parties who wanted three-car garages but that not every potential buyer would want a three-car garage. Ms. Krampits noted the lack of plantings between the homes and that the area is natural and wooded. Mr. Perino confirmed that there will be natural landscaping on the site. Ms. Krampits stated that the large garages detract from the appeal of the homes' facades.

Mr. McGuire asked what happens if the engineer is wrong and what recourse the residents in the area have. Chairman Trzupek stated that the plans have been prepared by an engineer and reviewed by the Village and County engineers. Mr. McGuire questioned what the qualifications were of the engineers. Mr. Patera stated that the condition will not be made worse in the area with the development. Ms. Palmisano stated that the previous Village Engineer was not qualified and eleven homes drain to her back yard. Chairman Trzupek stated that the development must take care of the water on the property and they are improving it by 20%.

There was discussion about the wetland to the north and that a detention pond will not be located in that area.

Ms. Krampits asked if the County reviewed the plans. Commissioner Stratis stated that final engineering has not been approved.

An unidentified member of the public asked if the pond to the west of the site would be impacted or altered. Mr. Patera confirmed they will not impact that pond.

Commissioner Stratis stated that the applicant will have three different engineers reviewing the plans who are all licensed and Professional Engineers (P.E.). Commissioner Stratis stated that the engineers all must follow the code and they cannot solve upstream flooding issues but can help downstream issues. Commissioner Stratis had a conversation with the applicant as to why three-car garages were not provided and may have been the impetus behind the amendment. Commissioner Stratis asked what would happen if only two-car garages were built and if the petitioner would have to come back for approval. Mrs. Farrell stated that the language in the request reads that six of the eight homes shall have the option to have a three-car garage so it leaves open a two-car possibility as well. Commissioner Stratis asked for clarification on the 0.94% since the open space is going from 88.5% to 84%. There was discussion to confirm the numbers and that 0.94% of 88.5% is slightly less than 84%. A decrease from 88.5% to 84% is actually a 5% decrease in the open space.

Mr. Perino stated that 1,500 sq. ft. of additional impervious is added to the site through the amendment. Chairman Trzupek stated that equates to roughly half a home.

Commissioner Stratis questioned the fence removal condition. Mr. Patera stated that it was an error and no fences are to be installed on the retaining walls. Commissioner Stratis supported the elevations and the application but requested clarification on the impervious calculations.

Commissioner McCollan asked about the driveways. Mr. Perino confirmed they are cement with paver edges. Commissioner McCollan confirmed with the applicant that patios would be pavers and the decks are raised.

Commissioner Petrich reviewed the previous minutes and that the development went from nine homes to eight. Commissioner Petrich prefers either one less home in the development or less three-car options. Commissioner Petrich feels that the homes are tight in terms of spacing around the cul-de-sac and requested clarity on the drainage. One of the public benefits of the PUD was improved drainage and that the 20% requirement should be retained.

Commissioner Broline no comments.

Commissioner Parrella wanted to retain the verbiage of providing the option for six of the homes having a the three-car garage.

Commission Morton is concerned about exacerbating the existing flooding conditions. Commissioner Morton confirmed with Mrs. Farrell that the Village Engineer has reviewed the plans and preliminarily confirmed the findings. Commissioner Morton would like to require that the 20% stormwater volume still be protected, understanding that the 30% will be impacted. Commissioner Morton was concerned about where guests would park. Commissioner Morton

asked if permeable pavers for driveways were evaluated. Commissioner Morton stated that with the ingress/egress to the site, the homes may not be highly visible from Drew and therefore he was not concerned about the three-car garages. Mr. Patera confirmed that with the curve in the road and the proposed landscaping, the fronts of the homes would not be visible from Drew. Mr. Patera noted the parallel parking spaces along the road for guest parking.

Chairman Trzupek noted that the parking between driveways has been eliminated. While Chairman Trzupek is not typically supportive of front-loaded garages, these will not be visible from Drew. Chairman Trzupek stated that in terms of the engineering, the flooding problems in the area will not be solved, but that the flow of water on the site will be slowed down by the restrictors. Mr. Patera confirmed that the basins will slow the flow and that the upstream watershed area is enormous. Chairman Trzupek requested that the percentage be confirmed for the stormwater volume or that the approval be conditioned.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner McCollian to close the public hearing for Z-15-2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, McCollian, Parrella, Morton, Broline, Petrich, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Parrella to recommend that the Board of Trustees approve a special use and PUD amendment request by Anthony Perino of Jarper Properties LLC for a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18, and approval of final engineering, landscaping plans, and building elevations, with Findings of Fact, subject to the following conditions:

1. Final plans shall substantially comply with the submitted site plans, landscape plans, and building elevations attached hereto as Exhibit A and subject to final engineering approval.
2. The Final Plat of Subdivision shall include Deck/Patio Easement Provisions to permit open decks/patios without roofs to extend no greater than 12 ft. from the rear exterior wall of the residence and shall not extend beyond the width of the residence.
3. The proposed fencing on the retaining walls shall be eliminated.
4. Tree planting in proximity to retaining walls shall be shifted to avoid concern over roots impacting wall stability.
5. The subdivision monument sign requires conditional sign approval by the Plan Commission and Village Board approval.
6. A minimum of 125% of stormwater volume detention shall be provided (25% increase in stormwater volume detention above requirements).
7. No more than six of the eight homes shall have three-car garages.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Parrella, Morton, Broline, Petrich, Trzupek and McCollian

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section XIV.B of the Zoning Ordinance to create a definition for an attached garage.

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that there is no existing definition for an attached garage, but there are some definitions in the Zoning Ordinance which can help to draft a definition. Mrs. Farrell presented two definition options: (1) a garage attached to the dwelling by a party wall or an interior wall; (2) a garage attached to a dwelling by a roof. For the second definition, the Commission may wish to evaluate if living space should be required in the connecting roof space.

Chairman Trzupek asked for public comments. There were none.

Commissioner Morton asked for clarification on the term party wall. Chairman Trzupek and Mrs. Farrell clarified that it is a common parallel interior wall, where the wall of the house is also the wall of the residence. Commissioner Morton confirmed with Mrs. Farrell that the second option where the structures are connected by a roof is current Village practice. Commissioner Morton asked if there were examples of residences like this in the Village. Mrs. Farrell confirmed that there were but did not have specific addresses.

Commissioner Parrella did not have any questions or comments.

Commissioner Broline asked if square footage in the open area under the roof would be included. Mrs. Farrell stated that could also be clarified. The open and enclosed areas would constitute an attached garage and since the attached garage square footage is limited to a certain amount, both of those portions would count towards it.

Chairman Trzupek asked about floor area ratio (FAR). Mrs. Farrell clarified that up to 1,000 sq. ft. does not count towards FAR so any portion of the open and enclosed area that exceed 1,000 sq. ft. would count towards it.

Commissioner Broline could foresee that living space will be created above the open area under the roof which could cause issues. Commissioner Broline asked why there were problems with attached garages. Chairman Trzupek clarified that detached garages are not permitted in the side buildable areas whereas an attached garage would be allowed.

Commissioner Petrich expressed concern about building accessory structures in the side buildable area and if the attached garages exceeded the maximum size permitted. Commissioner Petrich

stated that the fronts of homes with large, attached garages connected by a roof may impact neighbors due to their proximity and retaining walls to address the grade changes.

Commissioner McCollan did not like the word party wall and preferred common wall to be used in the proposed definition. Mrs. Farrell clarified that the term was used since the Zoning Ordinance has an existing definition for it.

Commissioner Stratis supported either option but preferred the second option with a roof. Commissioner Stratis did not support living space required in the connecting roof area and agreed to use the term common wall.

Chairman Trzupek noted the Panico petition and that it could almost fit into the first definition since “wall” is used, and a third dimension needs to be added. Chairman Trzupek did not believe that occupiable space should be required in the roofed area.

Commissioner Stratis asked about surrounding municipalities. Mrs. Farrell confirmed that the surrounding municipalities did not define an attached garage.

Commissioner Broline suggested that the area between the garage and the house under the roof should be included in the FAR which furthers the point it is attached.

Mrs. Farrell recommended that she bring back revisions reflecting that the Commission supports the connection by a roof and that the open space under the roof should count towards FAR.

Commissioner Stratis recommended that staff review ordinances in Lake Forest, Bannockburn, and Lincolnshire or communities with larger lots which can accommodate those types of houses.

Commissioner Petrich recommended that staff review homes in the area that were built in this style. Commissioner Petrich wanted to ensure that the Commission was careful in the consideration of the definition since these may impact neighbors and additional accessory space is created in the side area when it should be in the rear.

A **MOTION** was made by Commissioner Parrella and **SECONDED** by Commissioner Morton to continue the public hearing for Z-11-2022 until June 20, 2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Parrella, Morton, Stratis, Broline, Petrich, Trzupek, and McCollan
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section 55.09.E of the Sign Ordinance to clarify regulations pertaining to right-of-way signs.

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated the text amendments are in relation to temporary signs, specifically right-of-way signs. A temporary sign is defined as “any sign constructed in accordance with the provisions of this Ordinance for a period not to exceed thirty (30) days.” Mrs. Farrell reviewed the existing regulations for the right-of-way signs and noted some difficulties with enforcement since the signs require written consent by the property owner and there are outdated code enforcement procedures. For the revisions, the provision that the sign must be on private property in the non-commercial signs was eliminated since it is already stipulated earlier in the section. Mrs. Farrell reviewed the proposed regulations which eliminate the signs from being placed in the right-of-way and that they must be located on private property within a certain distance from the road and the structure on the property. The proposed regulations have eliminated the outdated code enforcement process.

Chairman Trzupek clarified that currently, signs are allowed in the right-of-way as long as they adhere to the stipulations in the Ordinance. The proposal states that signs cannot be in the right-of-way but must be on private property with that person’s permission.

Alice Krampits stated that she is not opposed to garage sale signs in the right-of-way and at a setback of 20 ft., they would not be visible. IDOT requires a line of site at 25 ft. Ms. Krampits is opposed to the proposed amendments.

Commissioner Stratis supports the amendment. Commissioner Stratis is concerned that the person on the sign would be fined even if they were unaware that the sign was put up. Commissioner Stratis does not want to see signs on utility poles.

Commissioner McCollan supports the proposal and would like to see people held accountable. Commissioner McCollan confirmed with staff that only one non-commercial sign message would be permitted per property.

Commissioner Petrich did not have issues with temporary signs that might stay up for a weekend like an open house but did support the amendment overall.

Commissioner Broline questioned political signs and the ability to remove them from the property. Commissioner Broline stated that real estate agents may push back against the regulations and that property owners are restricted if they are not allowed to put up garage sale signs.

Commissioner Parrella supported signs in the right-of-way like estate sales, open houses, and garage sales but with limitations on the duration and that they should not be allowed on utility poles.

Commissioner Morton would like to find a way to still permit garage sale or lost dog signs but with limitations. Commissioner Morton confirmed with staff that signs which violate the provisions are picked-up by staff and stored until they retrieved by the owner or disposed of.

Commissioner Morton questioned First Amendment rights. Mrs. Farrell stated that the Sign Ordinance has been updated to be content neutral. Commissioner Morton would still like to keep other temporary signs like garage sales.

Chairman Trzupek supports no signs in the right-of-way but that setback 20 ft. is a little too far. Chairman Trzupek understood that the Ordinance must be content neutral. Chairman Trzupek was concerned about limiting the number of political signs.

Commissioner Stratis stated that since there are public utilities in the right-of-way, other communities prohibit right-of-way signs. Staff is policing this so determining which messages are ok to keep or not is challenging. Commissioner Stratis supported placing signs up to the sidewalk or right-of-way line.

Ms. Krampits stated that she is the I&M Canal representative for Burr Ridge. The Rendezvous event signs are important to put up for directional purposes for a weekend only and must go within the right-of-way.

Chairman Trzupek summarized that the consensus is to prohibit right-of-way signs but with considerations like requiring a permit. Mrs. Farrell restated the discussion: that 20 ft. setback is too far, leave the utility pole provision in, have a weekend only sign which requires a permit and a deposit, and limit the amount of weekends permitted per year.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner McCollian to continue the public hearing for Z-13-2022/S-01-2022 to June 20, 2022.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, McCollian, Morton, Broline, Parrella, Petrich, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

V. CORRESPONDENCE

A. Board Reports May 9, 2022

Commissioner Broline asked about the Thorntons gas station. Mrs. Farrell is waiting on the amended petition for 24-hour operation. The petition would still go forward to the Board which would then remand it back to the Commission for a new public hearing with new notices sent.

Commissioner Petrich asked about the hours of operation text amendment and if the text amendment would be applicable to all special uses and PUDs. Mrs. Farrell stated that the draft language has a provision which states that it is applicable to

all PUDs and those restaurants with special uses. Other text amendments would require similar language.

B. Building Reports
None

VI. OTHER CONSIDERATIONS

VII. PUBLIC COMMENT

VIII. FUTURE MEETINGS

May 23, 2022 Board of Trustees

Commissioner Irwin is the scheduled representative.

June 6, 2022 Plan Commission

Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18, 2022]

Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

Z-12-2022: Consideration of text amendments regarding commercial vehicles in residential zoning districts.

June 13, 2022 Board of Trustees

Commissioner Parrella is the scheduled representative.

June 20, 2022 Plan Commission

Z-14-2022: Consideration of text amendments regarding short-term rentals.

June 27, 2022 Board of Trustees

Commissioner Petrich is the scheduled representative.

July 4, 2022 Plan Commission – MEETING IS CANCELLED DUE TO HOLIDAY

July 11, 2022 Board of Trustees

No Commissioners are scheduled. A volunteer may be needed.

July 18, 2022 Plan Commission

No cases scheduled at this time. The deadline for newspaper publication is July 1, 2022.

July 25, 2022 Board of Trustees

Commissioner Broline is the scheduled representative.

IX. ADJOURNMENT

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to adjourn the meeting at 9:06 pm.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Morton, Petrich, Broline, Parrella, McCollian, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Respectfully Submitted:

Janine Farrell, AICP
Community Development Director



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

Z-15-2022: 7950 Drew (Perino/Jarper Properties LLC); Request to consider a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance. This major change will reduce the open space in the PUD and increase the garage area for the proposed homes.

HEARING DATES:

May 16, 2022 and June 6, 2022
(remanded from May 23, 2022
Village Board meeting)

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell, AICP
Community Development
Director

PETITIONER:

Anthony Perino, Manager of
Jarper Properties LLC

PETITIONER STATUS:

Property Owner

PROPERTY OWNER:

Anthony Perino, Manager of
Jarper Properties LLC

EXISTING ZONING:

R-3 Residential PUD

LAND USE PLAN:

Recommends Residential Uses

EXISTING LAND USE:

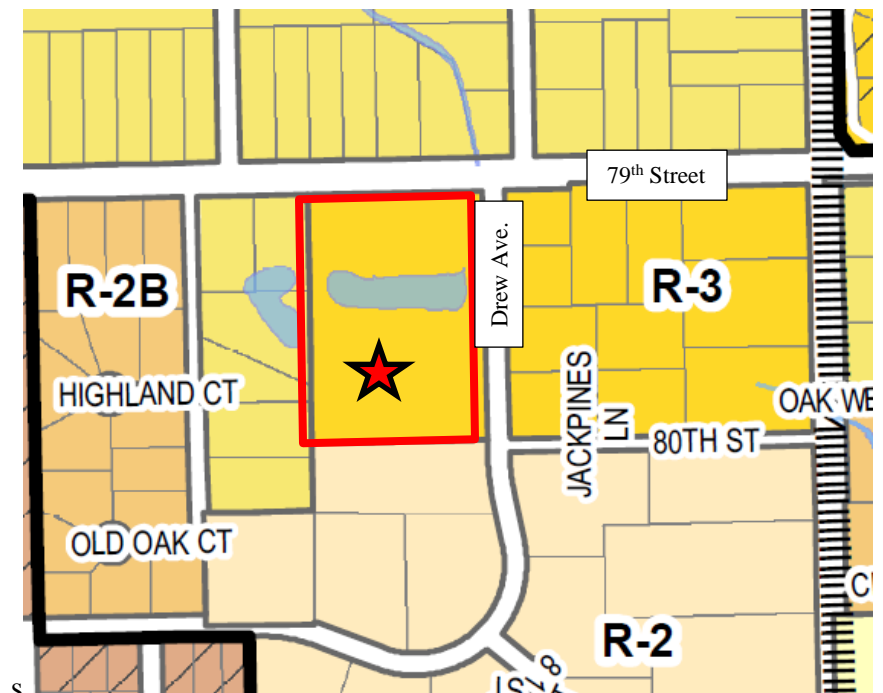
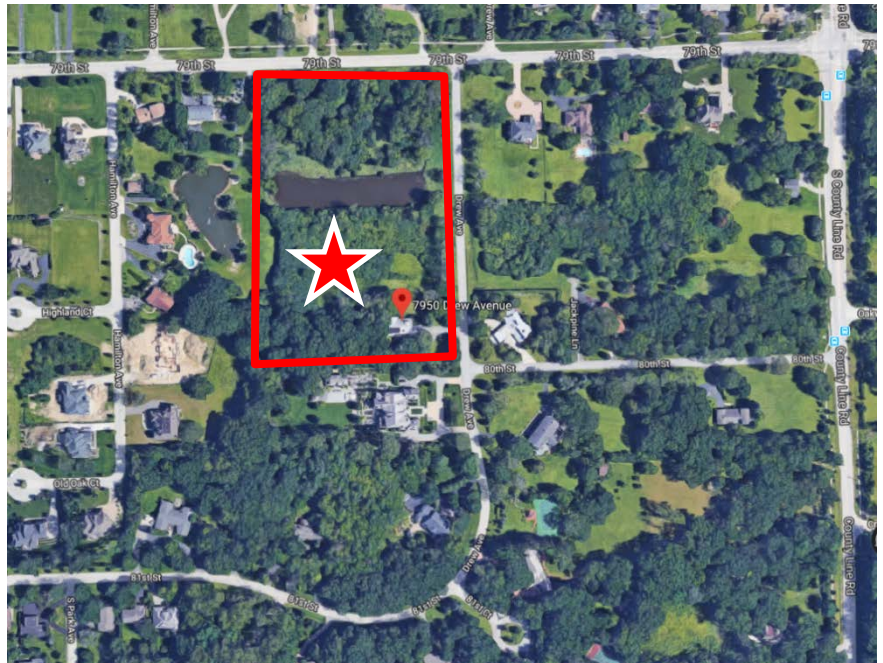
Vacant Single-Family Residential

SITE AREA:

8.87 Acres

SUBDIVISION:

Korinek's Owners



At the May 16, 2022 Plan Commission meeting, the Commission unanimously approved special use and PUD amendment requests by Anthony Perino of Jarper Properties LLC for a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18, and approval of final engineering, landscaping plans, and building elevations subject to the following conditions:

1. Final plans shall substantially comply with the submitted site plans, landscape plans, and building elevations attached hereto as Exhibit A and subject to final engineering approval.
2. The Final Plat of Subdivision shall include Deck/Patio Easement Provisions to permit open decks/patios without roofs to extend no greater than 12 ft. from the rear exterior wall of the residence and shall not extend beyond the width of the residence.
3. The proposed fencing on the retaining walls shall be eliminated.
4. Tree planting in proximity to retaining walls shall be shifted to avoid concern over roots impacting wall stability.
5. The subdivision monument sign requires conditional sign approval by the Plan Commission and Village Board approval.
6. A minimum of 125% of stormwater volume detention shall be provided (25% increase in stormwater volume detention above requirements).
7. No more than six of the eight homes shall have three-car garages.

This recommendation was on the May 23, 2022 Village Board meeting agenda for consideration. During public testimony, a resident stated that a Plan Commissioner commented about communication he had with the petitioner about three-car garages being offered as an option on the proposed homes and that he may have been the impetus behind the PUD amendment (see page 4 of the May 16, 2022 minutes). To ensure that Commissioners were not unduly influenced by the statement and that there was no question about improper proceedings, the Board remanded the petition back to the Commission. The Board also requested that additional evergreen landscaping be added to the western property line.

Since the May 16th Plan Commission meeting, the petitioner confirmed that the open space has been reduced from 88.5% to 84% which is a 4.5% reduction. The petitioner was previously required to provide over 20% stormwater detention volume beyond Ordinance requirements in 2018. According to the petitioner's engineer and the Stormwater Report, slightly under 30% additional stormwater detention volume is now being provided.

The petitioner submitted an abbreviated, revised plan set which includes:

- Updated landscape plan with new evergreen plantings on the western property line
- Relocated trees to minimize impact with the retaining walls
- Label reference to fence rail on the walls being eliminated
- Three car garage options are shown for five homes (#2, 3, 4, 5 & 6). Two car garage option would remain on homes #1 and 8.
- Side yard building separation dimensions noted.

The remainder of the submittal, which includes building elevations and a site plan, are unchanged from May 16, 2022. Digital versions of those plans are available on the Village's website under Plan Commission/Zoning Board of Appeals meeting packet materials.

Findings of Fact and Recommendation

The petitioner prepared Findings of Fact which were previously adopted on May 16, 2022 and are attached as Exhibit A.

Since the Commission unanimously approved the request on May 16, 2022, the Commission may wish to take a new vote on the matter or vote to reaffirm the previous recommendation.

Appendix

Exhibit A – Petitioner’s Materials and Findings of Fact

- Application and Findings of Fact
- Revised plan set



EXHIBIT A

VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS



GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): JARPER PROPERTIES LLC

STATUS OF PETITIONER: ANTHONY PERINO, MANAGER

PETITIONER'S ADDRESS: 155 ANN ST., CLARENDON HILLS, IL 60514

ADDRESS OF SUBJECT PROPERTY: 7950 DREW AVE.

PHONE: 630-850-9170

EMAIL: aperino@jarperpropertiesllc.com

PROPERTY OWNER: JARPER PROPERTIES LLC

PROPERTY OWNER'S ADDRESS: 155 ANN STREET
CLARENDON HILLS, IL 60514 PHONE: 630-850-9170

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

DESCRIPTION OF REQUEST:

REQUEST TO ALLOW SIX OF EIGHT HOMES TO HAVE THREE CAR GARAGES. CHANGE REQUIRES
OPENS SPACE REDUCTION OF 10% (MAJOR CHANGE IN P.U.D) AND INCREASE OF 1.13% FOR IMPERVIOUS
COVERAGE OF HOME FOOTPRINT & DRIVEWAY FOR THIRD CAR (MINOR CHANGE IN P.U.D)

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 8.87/386,377 EXISTING ZONING: R-3, P.U.D.

EXISTING USE/IMPROVEMENTS: VACANT

SUBDIVISION: THE COTTAGES OF DREW 7950 DREW AVE.

PIN(S) # 09-36-201-004

The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.

Petitioner's Signature

ANTHONY PERINO MANAGER

4/19/2022
Date of Filing



**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:

7950 DREW AVENUE

Property Owner or Petitioner:

JARPER PROPERTIES LLC - ANTHONY PERINO, MGR.
(Print Name)

 MANAGER
(Signature)



- SITE INFORMATION & NOTES:**
- Total Property Area = 8.87 ac.
 - Homes + Drives = 1.4 ac. (13%)
 - Dedicated Open Space/Common Area Managed by Homeowners Associates = 7.47 ac. (84%)
 - Homes 2, 3, 5, 6, & 7 Show Option for 3 Car Garages
 - Distance Between Houses Range from 20'-0" to 22'-5"
 - Street Trees along Cottage Court Spaces at 40' o.c. per Village Code

20'0'40'80'

N

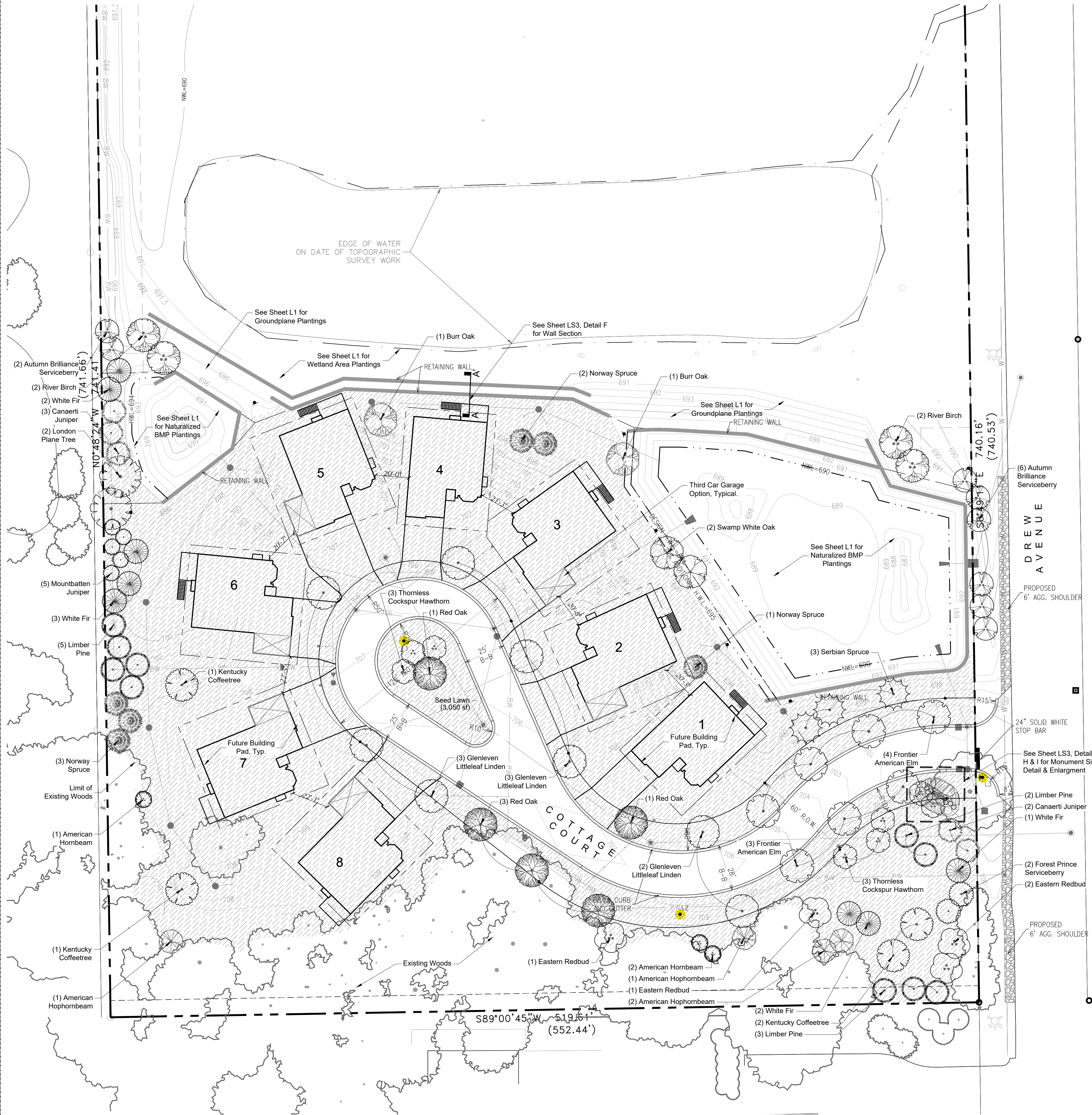
teska

Landscape Architecture















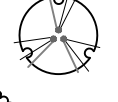





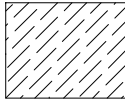
827 Grove Street,
Evanston, Illinois 60201
Tel 847.869.2015
Fax 847.869.2059

Copyright © 2019 Advantage Consulting Engineers, LLC

LANDSCAPE SITE PLAN		ADVANTAGE		REMARKS	
JARPER PROPERTIES, LLC 16W231 S. FRONTAGE ROAD, SUITE 17 BURR RIDGE, IL 60527		THE COTTAGES OF DREW BURR RIDGE, ILLINOIS		NO.	DATE
				1	3/4/19
				2	9/24/19
				3	10/21/19
				4	10/24/21
				5	3/15/22
MAY 27, 2022		JOB: 16-086		6	5/16/22
SHEET: LSO		80 MAIN STREET - SUITE 17 - LEMONT, ILLINOIS 60439 847-260-4758		REVISED PER VILLAGE & COUNTY	
25 OF 27		CONSULTING ENGINEERS		REVISED PER CIVL	
				REVISED PER ARCH	
				REVISED PER ARCH	



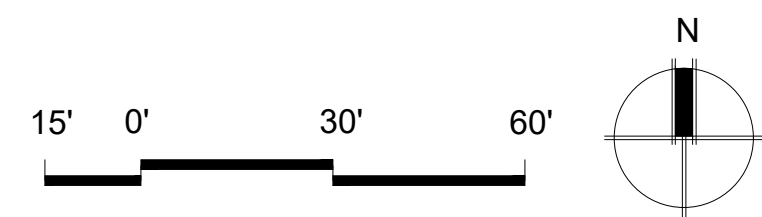
LANDSCAPE COMMON AREA PLANT SCHEDULE

EVERGREEN TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Abies concolor / White Fir	6' ht.	B&B	8
	Juniperus chinensis 'Mountbatten' / Mountbatten Juniper	4' - 6' ht.	B&B	5
	Juniperus virginiana 'Canaertii' / Canaerti Juniper	4' - 6' ht.	B&B	8
	Picea abies / Norway Spruce	6'-8' ht.	B&B	6
	Picea omorika / Serbian Spruce	6'-8' ht.	B&B	3
	Pinus flexilis / Limber Pine	6'-8' ht.	B&B	10
CANOPY TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Betula nigra / River Birch	6'-8' ht., multi-stem	B&B	4
	Gymnocladus dioica 'Espresso' / Kentucky Coffeetree	2.5" cal.	B&B	4
	Platanus x acerifolia 'Bloodgood' / London Plane Tree	2.5" cal.	B&B	2
	Quercus bicolor / Swamp White Oak	2.5" cal.	B&B	2
	Quercus macrocarpa / Burr Oak	2.5" cal.	B&B	2
	Quercus rubra / Red Oak	2.5" cal.	B&B	5
	Tilia cordata 'Glenleven' / Glenleven Littleleaf Linden	2.5" cal.	B&B	8
	Ulmus x 'Frontier' / Frontier American Elm	2.5" cal.	B&B	7
ORNAMENTAL TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Amelanchier canadensis 'Autumn Brilliance' / Autumn Brilliance Serviceberry	4'-6' ht., multi-stem	B&B	8
	Amelanchier x grandiflora 'Forest Prince' / Forest Prince Serviceberry	4'-6' ht.	B&B	2
	Cercis canadensis / Eastern Redbud	4'-6' ht., multi-stem	B&B	4
	Crataegus crus-galli inermis TM / Thornless Cockspur Hawthorn	4'-6' ht., multi-stem	B&B	6
UNDERSTORY TREES	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Carpinus caroliniana 'JN Strain' TM / American Hornbeam	4'-6' ht., multi-stem	B&B	3
	Ostrya virginiana / American Hophornbeam	2.5" cal.	B&B	4
SOD/SEED	BOTANICAL / COMMON NAME	SIZE	QTY	
	Seed Lawn / IDOT Class 1B Low Maintenance Lawn Mixture	seed	109 937 sf	
	Fine Leaf Turf-Type Fescue	150 lbs. / acre		
	Perennial Ryegrass	20 lbs. / acre		
	Red Top	10 lbs. / acre		
	Creeping Red Fescue	20 lbs. / acre		
	Total = 200 lbs. / acre			

MONUMENT SIGN PLANT SCHEDULE

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SHRUBS	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Hydrangea arborescens 'Annabelle' / Annabelle Hydrangea	36" ht.	B&B/CG	1
	Hydrangea quercifolia 'Pee Wee' / Pee Wee Oakleaf Hydrangea	18" ht.	B&B/CG	5
GROUND COVERS	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY
	Geranium x 'Rozanne' / Rozanne Cranesbill	2.25" pot	18" o.c.	41
	Hosta fortunei 'Frances' / Fortune's Hosta	1 gal.	36" o.c.	5
	Liriope spicata / Creeping Lily Turf	2.25" pot	12" o.c.	108
PERENNIALS	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY
	Aster novi-belgii 'Woods Purple' / Woods Purple Aster	2.25" pot	12" o.c.	55

- NOTES:
- Distance Between Houses Range from 20'-0" to 22'-5"
 - Street Trees along Cottage Court Spaces at 40' o.c. per Village Code





LANDSCAPE COMMON AREA PLANT SCHEDULE

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	Total = 200 lbs. / acre		

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- NOTES:
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 - Street Trees along Cottage Court Spaces at 40' o.c. per Village Code

15'0'30'60'

N

teska

Landscape Architecture

827 Grove Street,
Evanston, Illinois 60201
Tel 847.869.2015
Fax 847.869.2059

ADVANTAGE

CONSULTING ENGINEERS

80 MAIN STREET - SUITE 17 - LEMONT, ILLINOIS 60439

847.260-4758

LANDSCAPE COMMON AREA PLANTING PLAN

THE COTTAGES OF DREW

BURR RIDGE, ILLINOIS

JARPER PROPERTIES, LLC

16W231 S. FRONTAGE ROAD, SUITE 17

BURR RIDGE, IL 60527

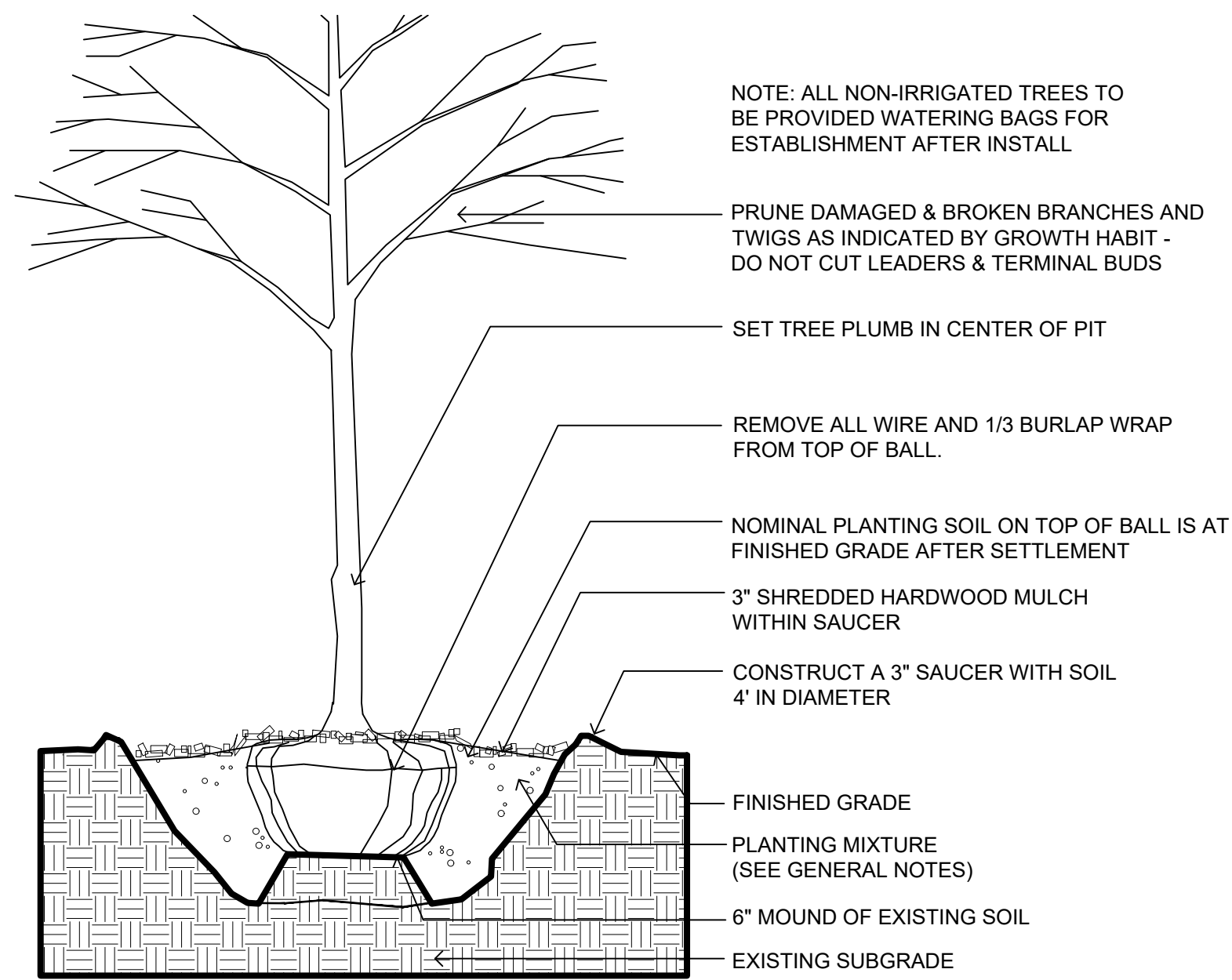
MAY 27, 2022

JOB: 16-086

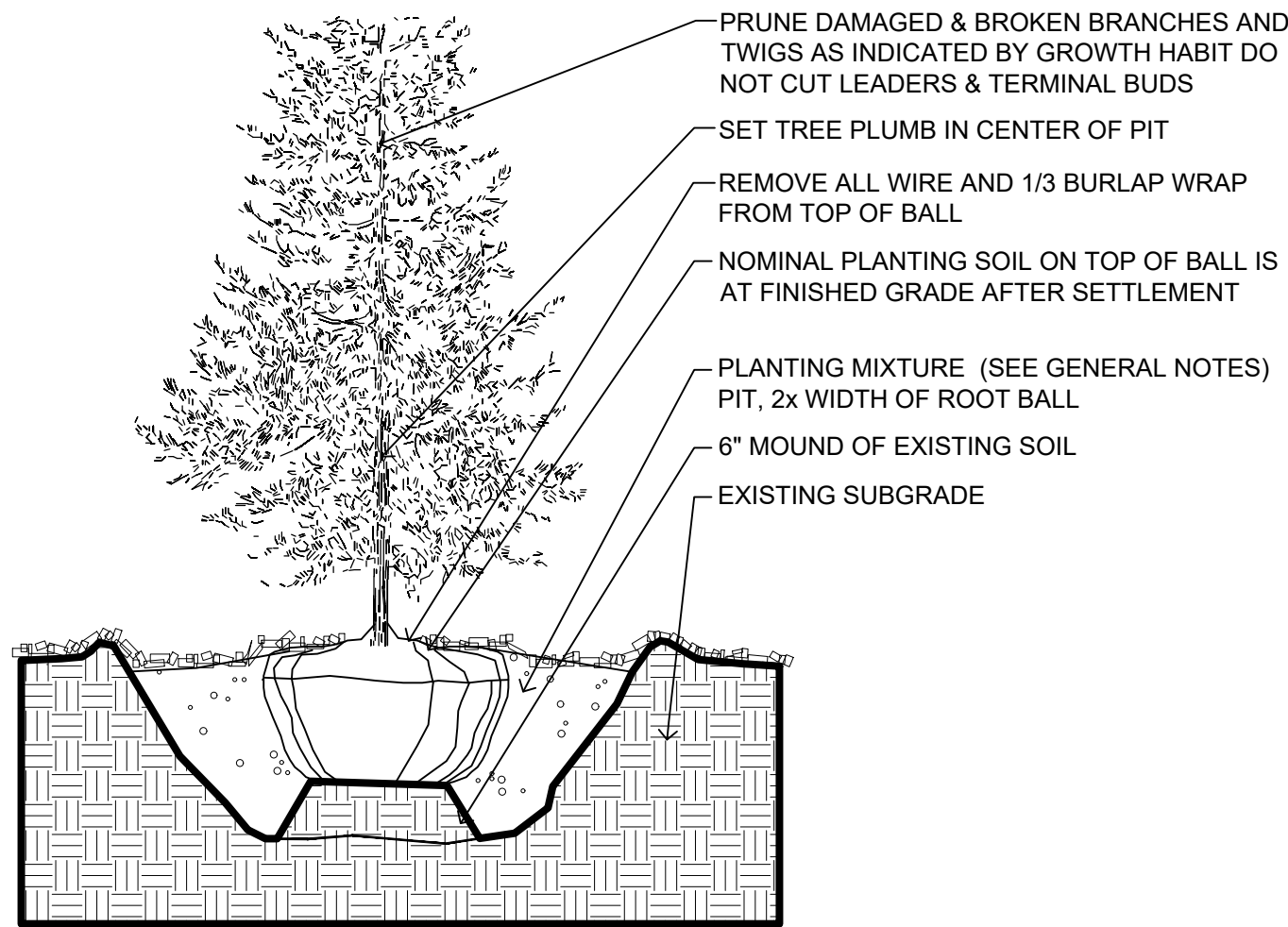
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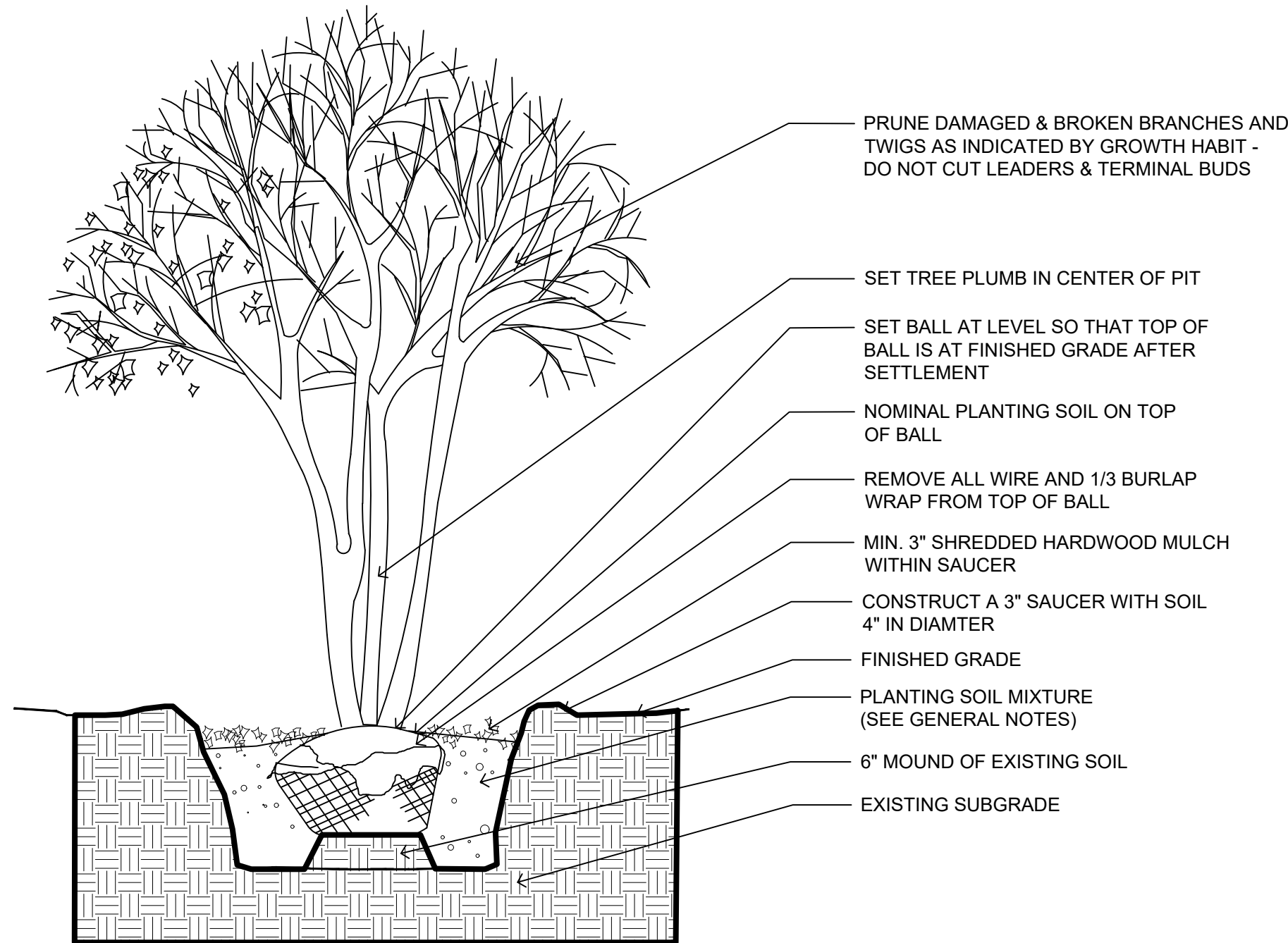
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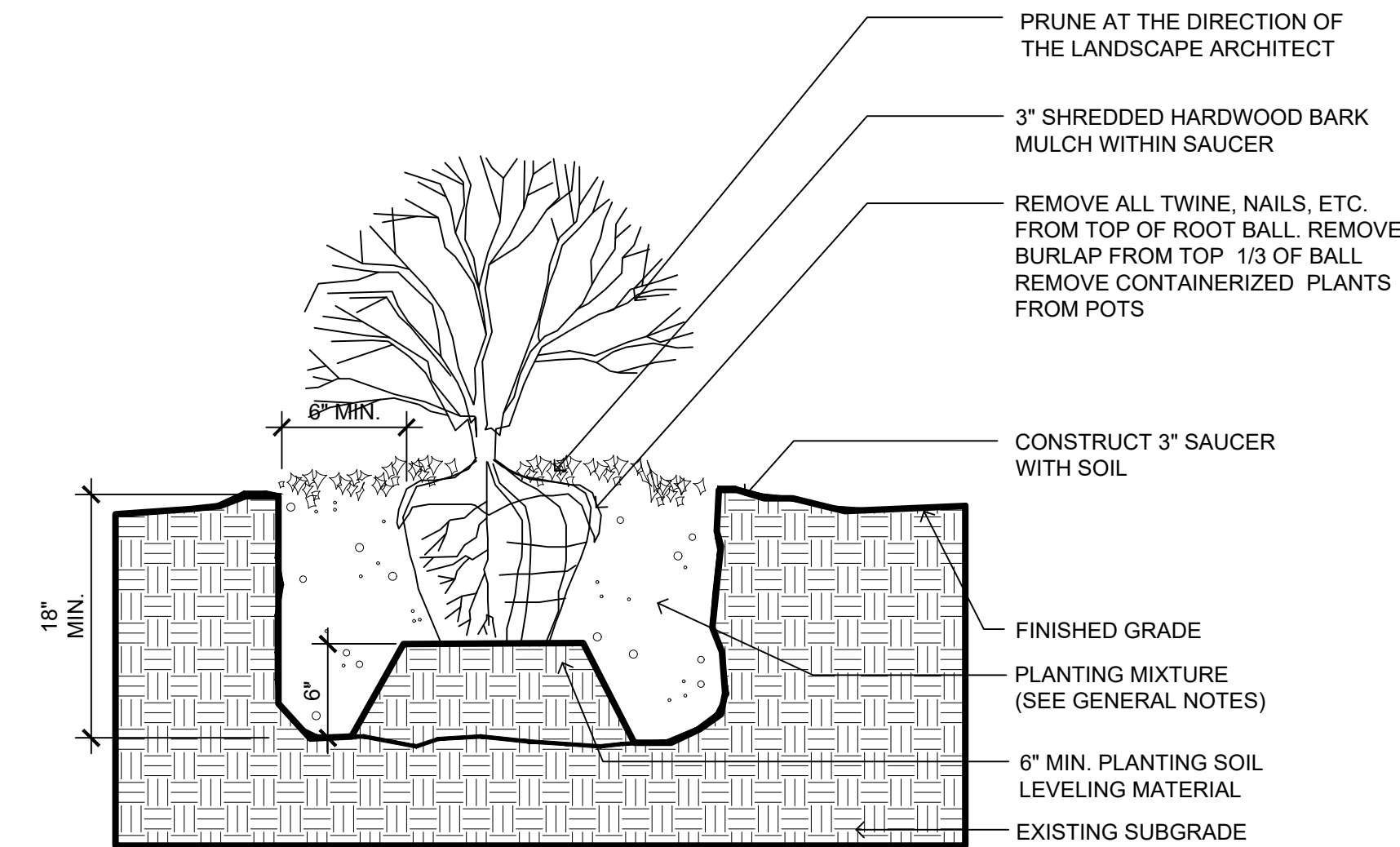
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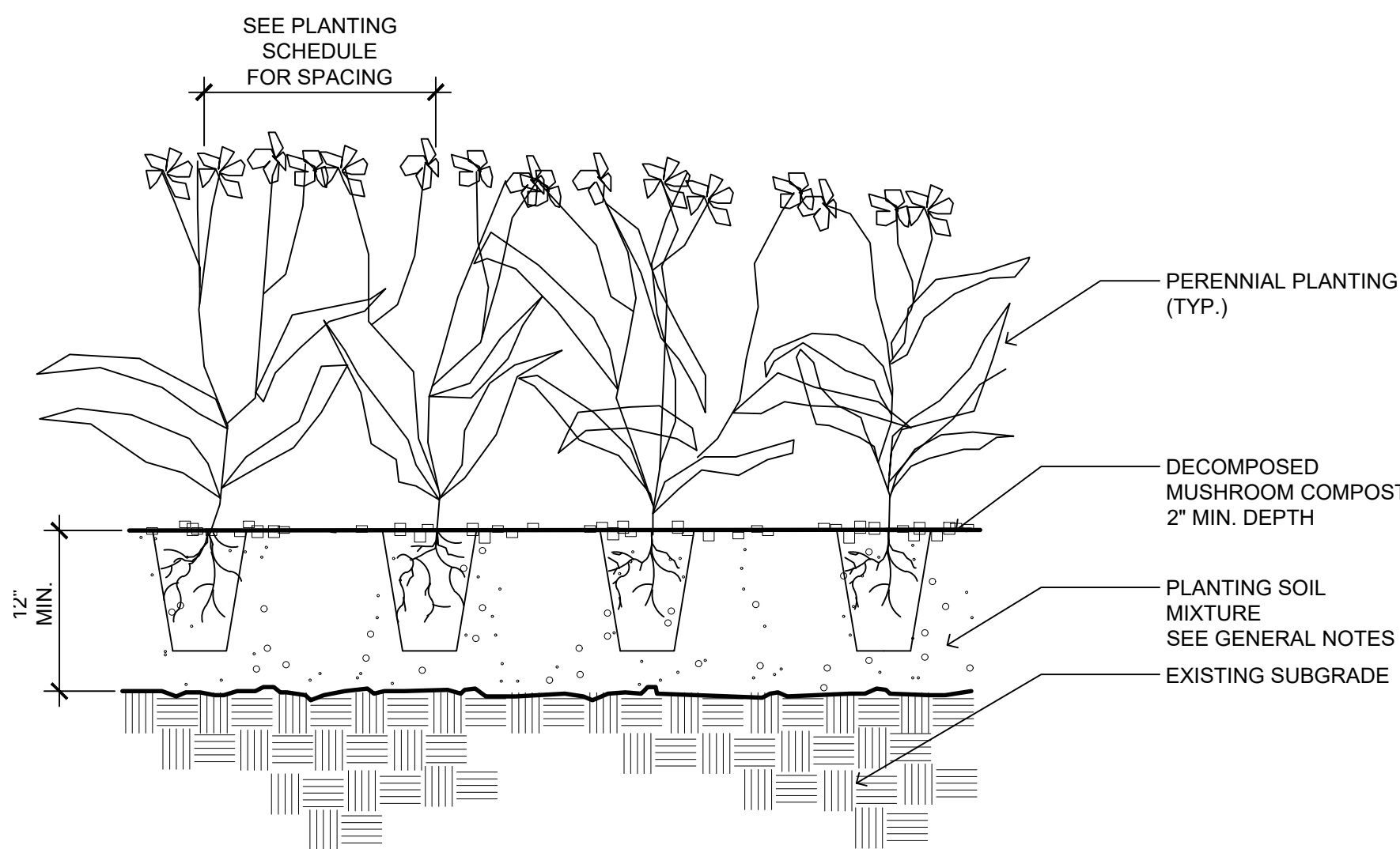
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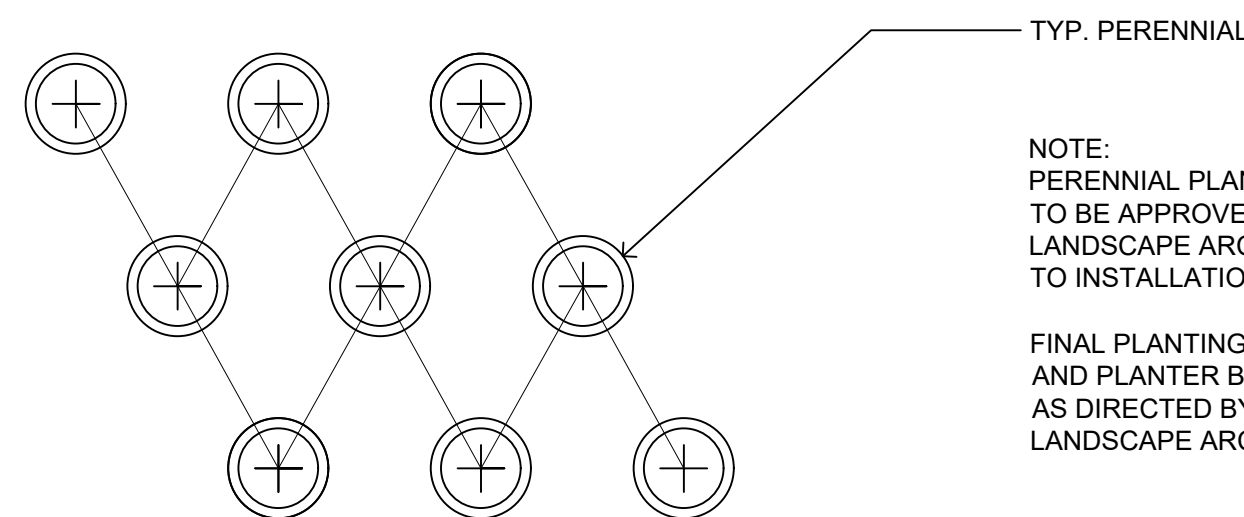
C ORNAMENTAL / UNDERSTORY TREE PLANTING DETAIL
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D SHRUB PLANTING DETAIL
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E PERENNIAL PLANTING DETAIL
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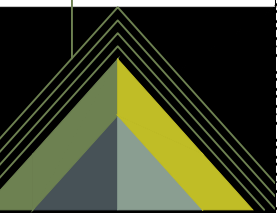
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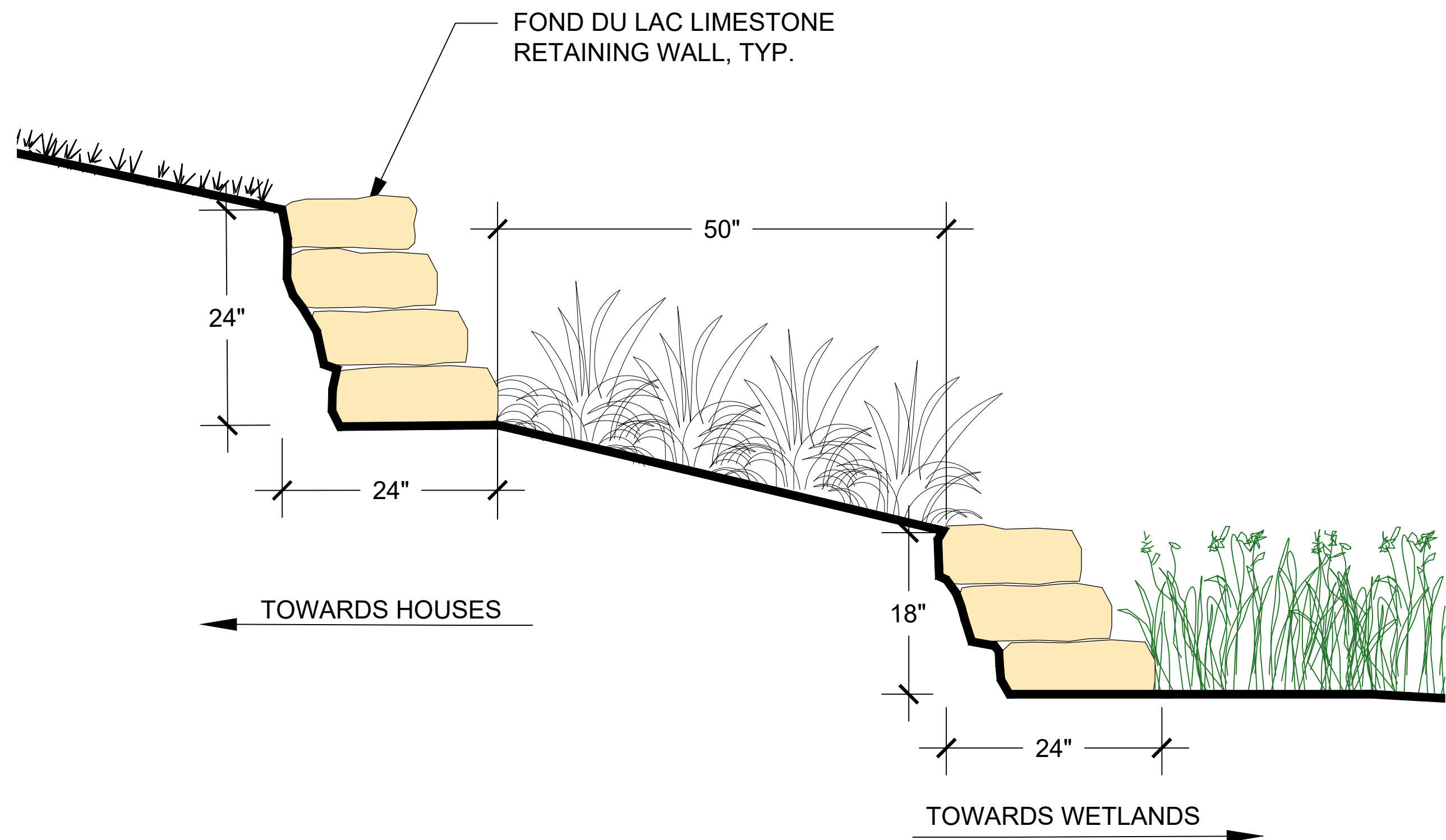
1. PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES, CONTRACTOR SHALL NOTIFY J.U.L.I.E. (811) OR (800) 892.0123 TO DETERMINE THE LOCATION OF ANY UNDERGROUND UTILITIES, WHICH MAY AFFECT PROPOSED SITE WORK. CONTRACTOR SHALL NOTIFY THE OWNER/LANDSCAPE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES, OBSTACLES AND/OR PROBLEMS.
2. VERIFICATION OF DIMENSIONS AND GRADES, BOTH EXISTING AND PROPOSED, SHALL BE THE CONTRACTOR'S RESPONSIBILITY PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL NOTIFY THE OWNER/LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
3. ALL SURFACE DRAINAGE SHALL BE DIRECTED AWAY FROM STRUCTURES. SURFACE DRAINAGE SHALL BE DIRECTED TO EXISTING CATCH BASINS DESIGNATED FOR THE COLLECTION OF SURFACE RUN-OFF.
4. PLANT MATERIAL SIZES SHOWN ON PLANT SCHEDULE ARE MINIMUM ACCEPTABLE SIZES. ALL PLANT MATERIAL SHALL BE OF SPECIMEN QUALITY. NO 'PARK GRADE' MATERIAL WILL BE ACCEPTED.
5. ALL PLANT MATERIAL SHALL BE OBTAINED FROM AN APPROVED NORTHERN ILLINOIS NURSERY WITH HEAVY CLAY SOILS.
6. ALL PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK AS SPONSORED BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE, INC. (ANSI)
7. IF SPECIFIED SPECIES AND/ OR QUALITY OF PLANTS ARE NOT AVAILABLE AT THE TIME OF ORDERING, THE LANDSCAPE ARCHITECT, AT HIS/HER DISCRETION, MAY SUBSTITUTE SIMILAR PLANTS WITH THE SAME WHOLESALE VALUE.
8. ALL PLANTS TO BE BALLED IN BURLAP (B&B) OR CONTAINER GROWN (CG) AS SPECIFIED IN PLANT SCHEDULE. ALL NYLON/PLASTIC/BURLAP ROOT WRAPPING MATERIAL AND METAL WIRE BASKETS SHALL BE REMOVED.
9. SOIL TO BE USED FOR THE PLANTING MEDIUM FOR THE PROJECT SHALL BE FERTILE, WELL-DRAINED, OF UNIFORM QUALITY, FREE OF STONES OVER 1" IN DIAMETER, STICKS, OILS, CHEMICALS, PLASTER, CONCRETE AND OTHER DELETERIOUS MATERIAL.
10. ALL LANDSCAPE MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES.
11. ALL LANDSCAPE MATERIALS SHALL BE INSTALLED IN CONFORMANCE WITH THE ACCEPTED INDUSTRY'S STANDARD 'BEST MANAGEMENT PRACTICE' TECHNIQUES AS IDENTIFIED BY THE ILLINOIS LANDSCAPE CONTRACTORS ASSOCIATION (ILCA).
12. THE OWNER AND/OR LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL IN POOR CONDITION/Form OR NOT INSTALLED ACCORDING TO 'BEST MANAGEMENT PRACTICE' TECHNIQUES.
13. THE LANDSCAPE CONTRACTOR SHALL PREPARE PLANTING BEDS BY ADDING SOIL AMENDMENTS TO TOPSOIL MIX IN THE FOLLOWING QUANTITIES: TOPSOIL MIX FOR TREES & SHRUBS SHALL BE THREE (3) PARTS TOPSOIL, ONE (1) PART PEAT, AND ONE (1) PART SAND. TOPSOIL MIX FOR PERENNIALS & GROUND COVER SHALL BE THREE (3) PARTS TOPSOIL, ONE (1) PART SAND, AND TWO (2) PARTS COMPOST.
14. ALL WOODY PLANTINGS TO RECEIVE 3" OF SHREDDED HARDWOOD MULCH. ALL HERBACEOUS PLANTINGS TO RECEIVE 2" OF LEAF COMPOST.
15. CONTRACTOR SHALL WATER PLANTS IMMEDIATELY AFTER PLANTING. FLOODING PLANTS TWICE DURING FIRST TWENTY-FOUR HOURS AFTER PLANTING.
16. ALL ROAD AND WALK SURFACES SHALL BE KEPT CLEAR OF MUD AND DEBRIS AT ALL TIMES.
17. CONTRACTOR SHALL REPAIR IN KIND ANY AREAS DAMAGED AS A RESULT OF LANDSCAPE OPERATIONS.
18. GUARANTEE SPECIFICATIONS ARE AS FOLLOWS: THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A BONDED WRITTEN ONE-YEAR WARRANTY AGREEMENT BEGINNING ON THE FIRST DAY OF THE OWNER'S POSSESSION. THIS AGREEMENT SHALL PROVIDE FOR THE REPLACEMENT OF DEAD OR DYING PLANT MATERIAL. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A TYPEWRITTEN LIST OF SPECIFIC MAINTENANCE INSTRUCTIONS FOR EACH TYPE OF PLANT INSTALLED WITH THE WRITTEN AGREEMENT AND BOND.
19. EROSION CONTROL BLANKETS REQUIRED ON ALL SLOPES GREATER THAN 3:1.

BID OPTION:

20. UPON AWARD OF BID, IRRIGATION CONTRACTOR SHALL PROVIDE AN IRRIGATION PLAN SHOWING COMPLETE HEAD, LINE AND VALVE LAYOUT FOR AN AUTOMATIC UNDERGROUND SYSTEM.
21. COORDINATE IRRIGATION INSTALLATION WITH LANDSCAPE PLAN AND SITE CONDITIONS TO PROVIDE COMPLETE COVERAGE WITH MINIMUM OVERSPRAY. THE IRRIGATION CONTRACTOR SHALL MAKE MINOR ADJUSTMENTS TO ENSURE PROPER COVERAGE AT NO ADDITIONAL COST TO THE OWNER.
22. THE IRRIGATION CONTRACTOR WILL SECURE ALL REQUIRED PERMITS AND PAY ALL ASSOCIATED FEES UNLESS OTHERWISE NOTED. ALL LOCAL CODES SHALL PREVAIL OVER ANY DISCREPANCIES HEREIN.

NO.	DATE	REMARKS	
		REVISED PER VILLAGE & COUNTY	REVISED PER OWNER
1	3/1/19		
2	9/24/19		
3	10/21/19		
4	10/04/21		
5	3/15/22		
6	5/06/22		





F WALL SECTION A - A'
1"=1'-0"

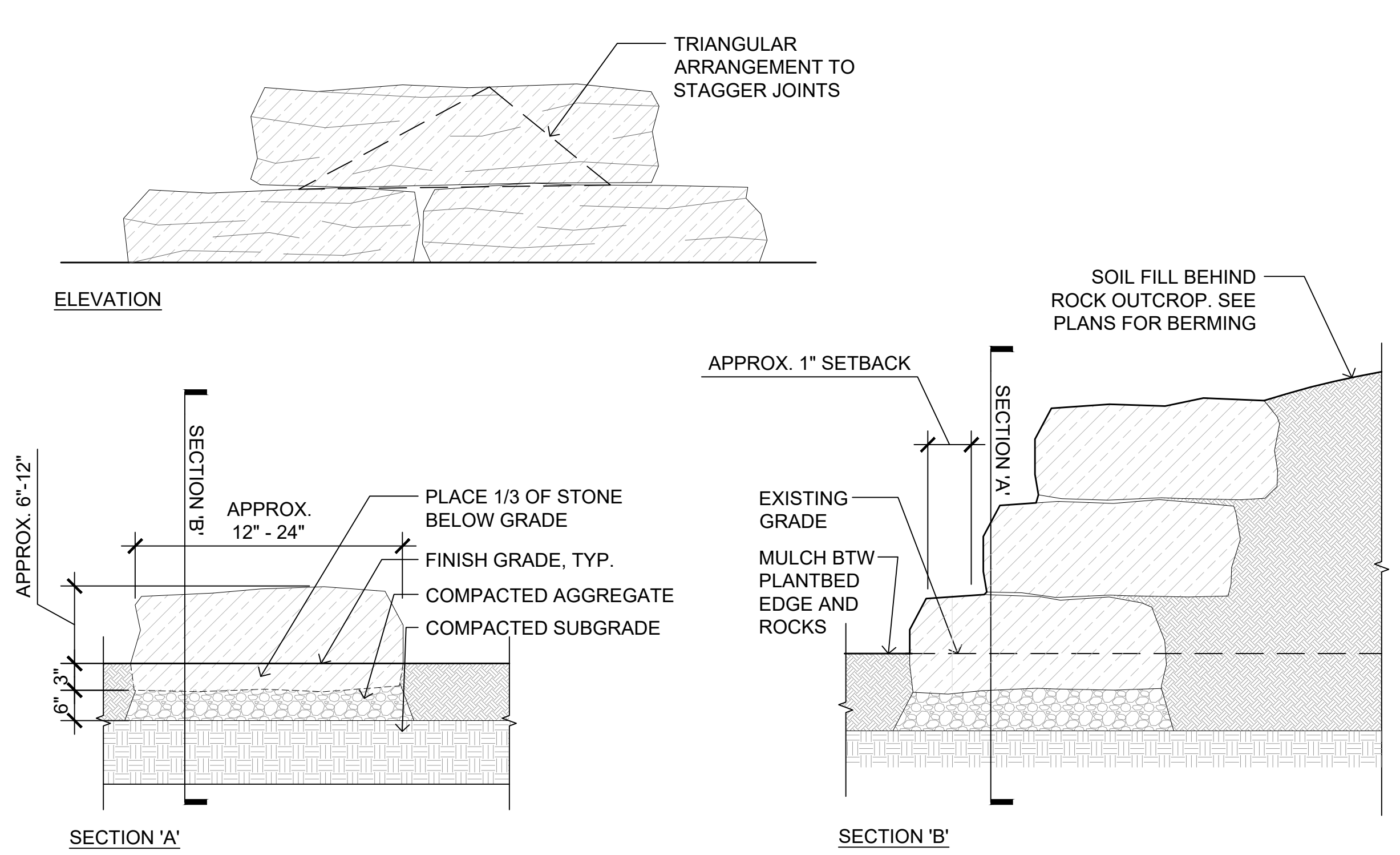


NOTES:

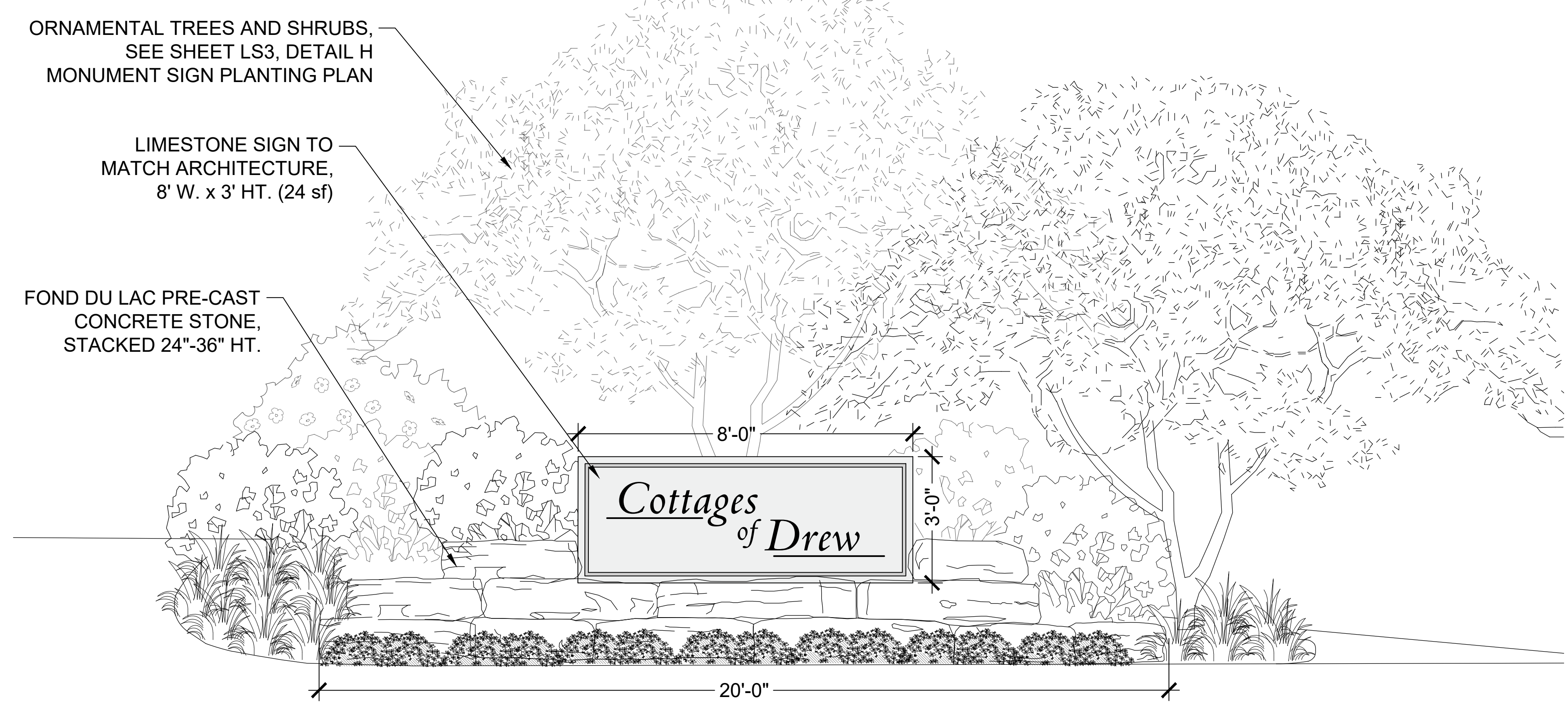
DO NOT PLACE STONES OF THE SAME HEIGHT, SHAPE, OR MASS NEXT TO EACH OTHER.

ARRANGE STONES IN TRIANGULAR, STACKED GROUPINGS, LEVEL FLAT AND SHIMMED TO PREVENT ROCKING.

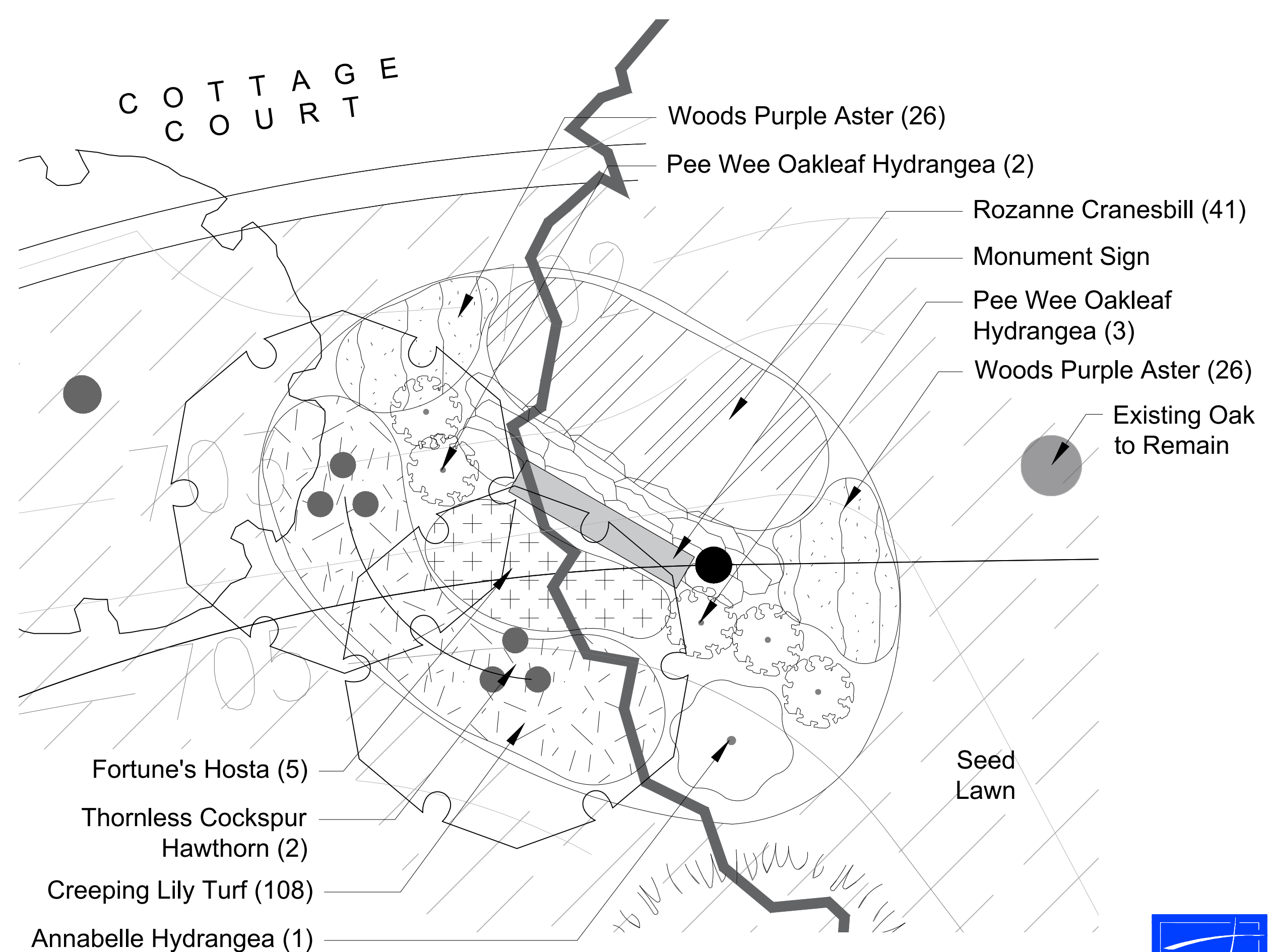
ARRANGE STONES IN ODD NUMBERED GROUPS OF THREE, FIVE OR SEVEN. FINAL PLACEMENT OF STONES TO BE APPROVED BY L.A.



G WALL DETAIL - FOND DU LAC LIMESTONE OUTCROPPING RETAINING WALL
NOT TO SCALE



H MONUMENT SIGN DETAIL
1/2" = 1'-0"



I MONUMENT SIGN PLANTING PLAN
1/4" = 1'-0"

REMARKS		DATE	NO.
REVISED PER VILLAGE & COUNTY		3/4/19	1
RE-USED PER ONL		9/24/19	2
RE-USED PER ONL		10/21/19	3
RE-USED PER ONL		10/24/21	4
REVISED PER ARCH		3/15/22	5
REVISED PER ARCH		5/16/22	6

ADVANTAGE
CONSULTING ENGINEERS

80 MAIN STREET - SUITE 17 - LEMONT, ILLINOIS 60439
847.260.4758

THE COTTAGES OF DREW
BURR RIDGE, ILLINOIS

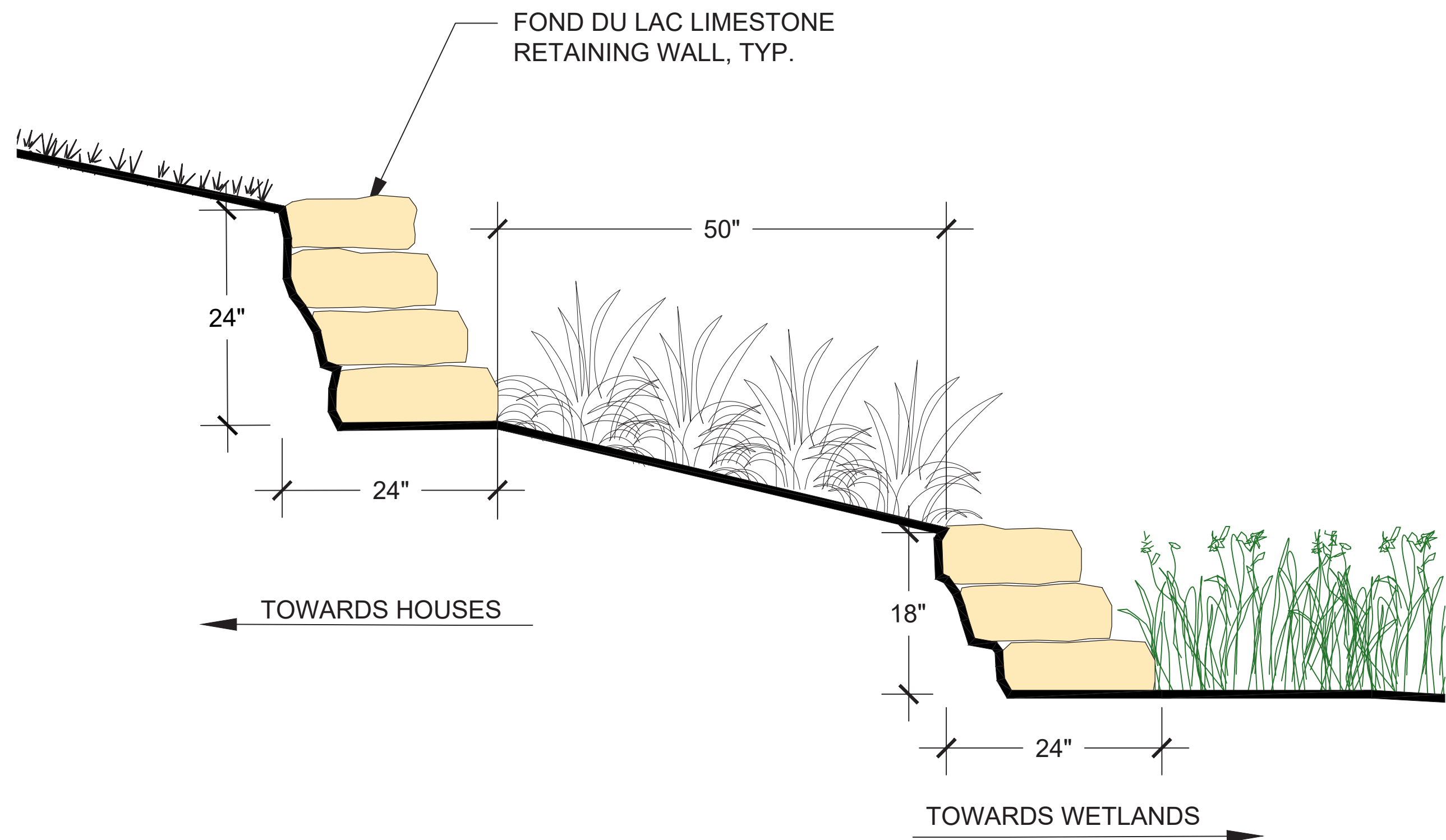
JARPER PROPERTIES, LLC
16W231 S. FRONTAGE ROAD, SUITE 17
BURR RIDGE, IL 60527

WALL & SIGNAGE DETAILS

teska
Landscape Architecture
627 Grove Street,
Evanston, Illinois 60201
Tel 847.869.2015
Fax 847.869.2059

MAY 27, 2022
JOB: 16-086

SHEET:
LS3
27 OF 27

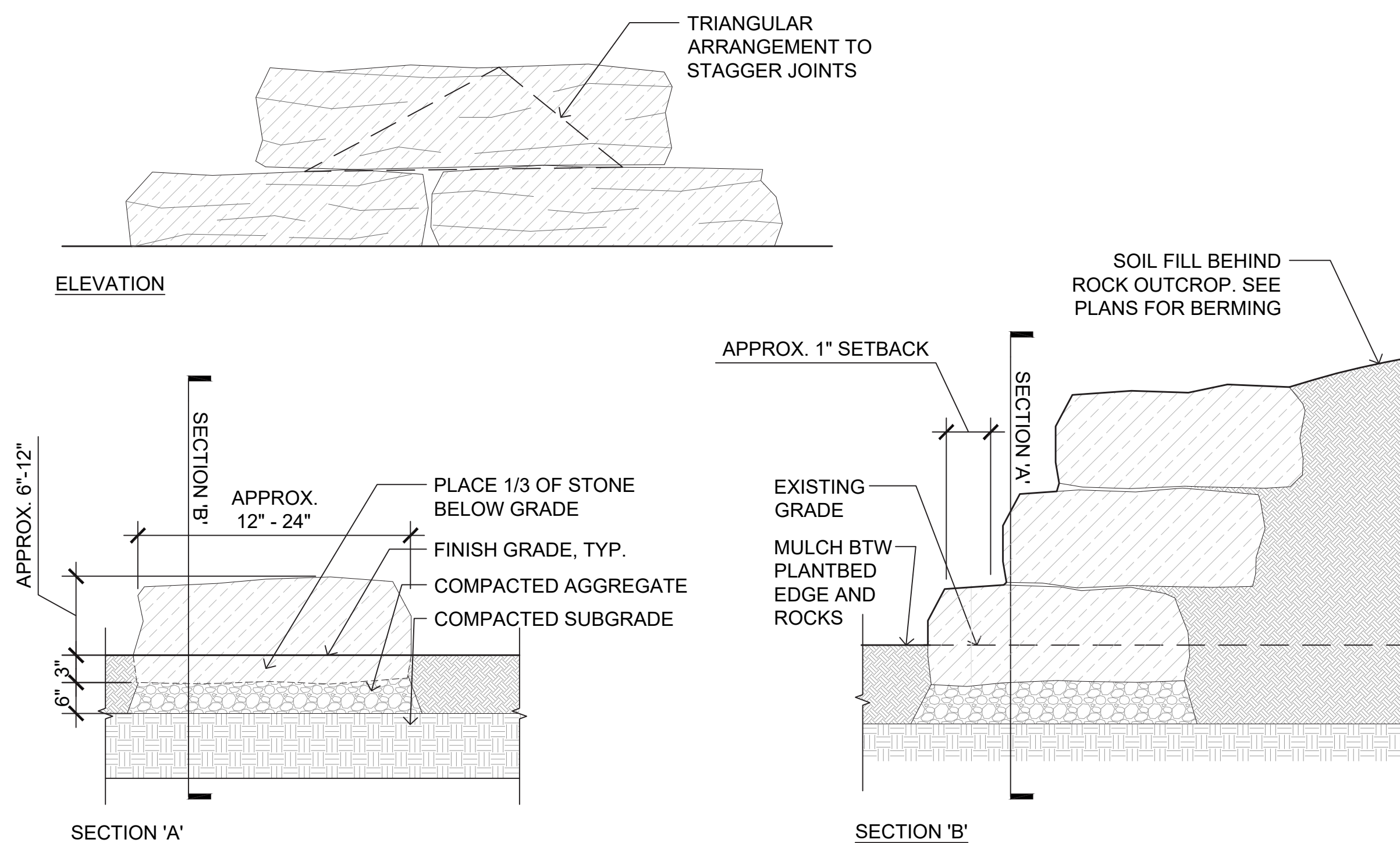


F WALL SECTION A - A'
1"=1'-0"

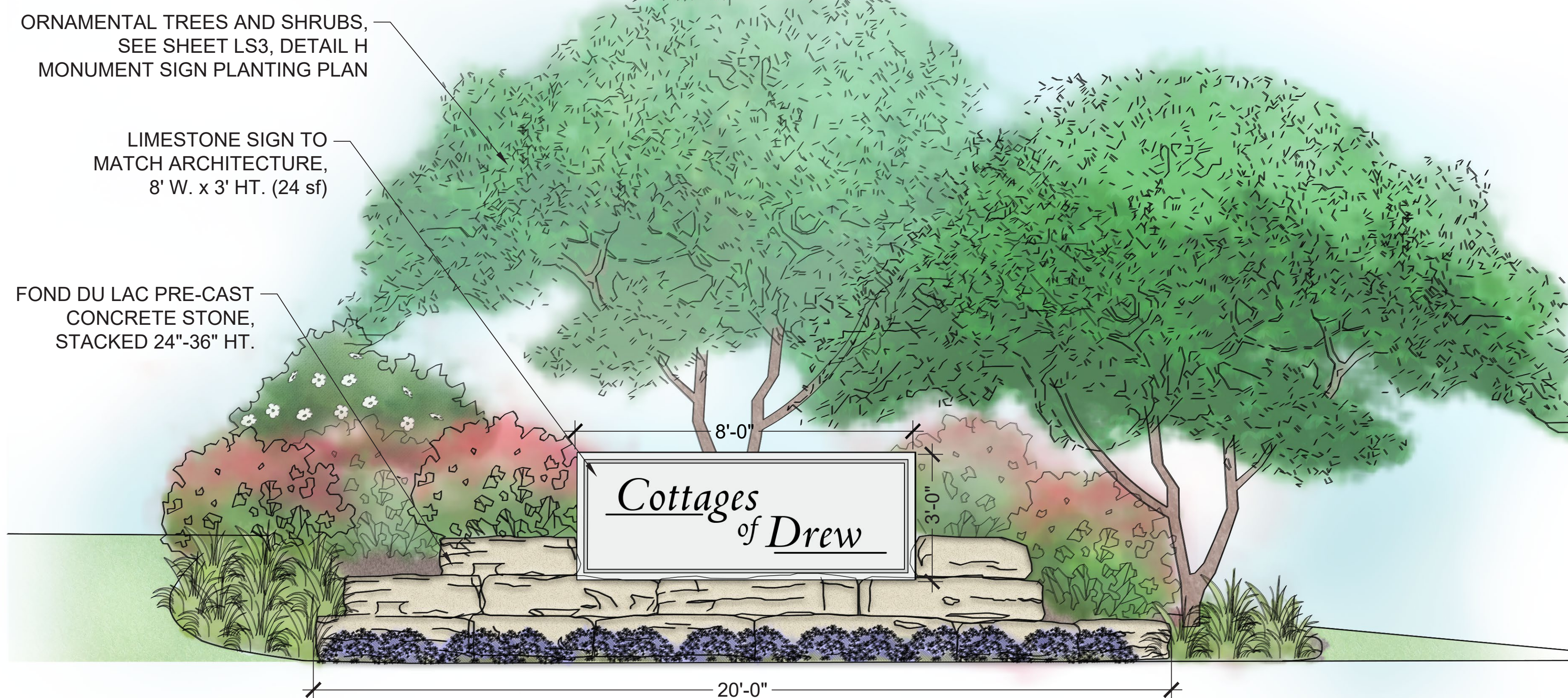
STONE:
TYPE: FOND DU LAC SNAP EDGE
OUTCROPPING DOLOMITIC LIMESTONE



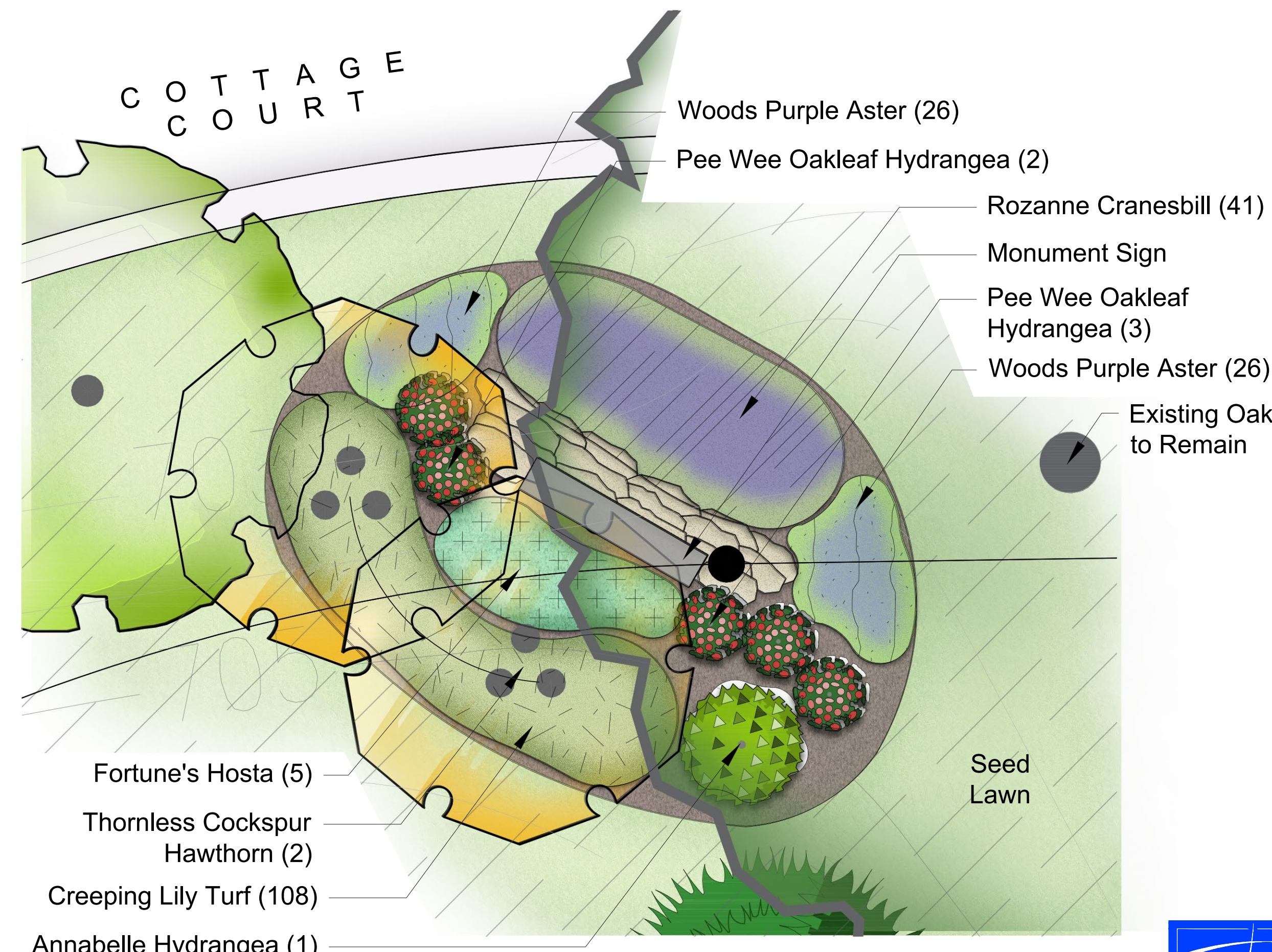
NOTES:
DO NOT PLACE STONES OF THE SAME HEIGHT, SHAPE, OR MASS NEXT TO EACH OTHER.
ARRANGE STONES IN TRIANGULAR, STACKED GROUPINGS, LEVEL FLAT AND SHIMMED TO PREVENT ROCKING.
ARRANGE STONES IN ODD NUMBERED GROUPS OF THREE, FIVE OR SEVEN. FINAL PLACEMENT OF STONES TO BE APPROVED BY L.A.



G WALL DETAIL - FOND DU LAC LIMESTONE OUTCROPPING RETAINING WALL
NOT TO SCALE



H MONUMENT SIGN DETAIL
1/2" = 1'-0"



I MONUMENT SIGN PLANTING PLAN
1/4" = 1'-0"

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Fax 847.869.2059



Z-08-2022: Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

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

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearings: April 18, 2022 and June 6, 2022

On February 14, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to define “live entertainment” and to permit “live entertainment” as accessory to certain uses within the business districts. The direction from the Board only included those restaurants within the B-1 and B-2 districts, not those restaurant uses which may be located inside hotels zoned O-2. The Crowne Plaza is the only hotel zoned B-2.

Under current Zoning Ordinance regulations, restaurant uses with live entertainment require a special use in the B-1 and B-2 zoning districts. There are eight restaurants which have approved special uses to have live entertainment accessory to the restaurant use:

- Cooper’s Hawk – Ordinance A-834-10-16 (2016)
- County Wine Merchant – Ordinance A-834-14-17 (2017)
- Dao Sushi and Thai – Ordinance A-834-08-12 (2012)
- Eddie Merlot’s – Ordinance A-834-11-11 (2011)
- Jonny Cab’s – Ordinance A-834-02-21 (2021)
- La Cabanita – Ordinance A-834-27-11 (2011)
- The Hampton Social – Ordinance A-834-09-17 (2017)
- Wok n Fire – Ordinance A-834-28-13 (2013)

The Plan Commission held a public hearing on April 18, 2022 and continued the discussion to June 6, 2022. The Commission’s comments from April 18th are summarized below:

- Possibly amend the definition for a restaurant.
- Some Commissioners supported keeping live entertainment as a special use but at the time of public hearing, the Village Attorney provided direction that establishments with existing special uses or those within PUDs would not be impacted by the text amendment.
- Prohibition of live entertainment from occurring outdoors or within outdoor dining areas.
- Require a seating plan to evaluate how much space is dedicated to the live entertainment.

In response to the Commission’s April 18 comments, staff is providing the following:

- The Zoning Ordinance definition of a restaurant is “*an establishment that serves unpackaged food and beverages in individual servings, or in nondisposable containers*”

to customers who consume these foods while seated within the building.” Under current Zoning Ordinance regulations, there is no definition for live entertainment. Staff provided a draft definition based upon research from neighboring municipalities, other states, and legal definitions for inclusion in Section XIV.B, Definitions. A red-line version of the text is included as Exhibit C.

- The Village Attorney was further consulted on the matter after the April 18th meeting and prepared language so that the text amendment would be applicable to those establishments with existing special uses and within PUDs. This language is included in Section VIII.A, under a new section, #12 (Exhibit E). Should the Commission consider permitting live entertainment as accessory to a restaurant use, meaning that a special use is no longer required, sections VIII.B and VIII.C would need to be amended (see Exhibit D).
- A prohibition on live entertainment from being broadcasted or performed outdoors is included in Section VIII.A, under a new section, #12. Staff recommends that the Commission also add a provision which requires staff review of a seating or floor plan so the space dedicated to the entertainment area and accessibility can be evaluated. The Commission may wish to place further restrictions on how much floor space is dedicated to the live entertainment to ensure that it is accessory to the principal use of the restaurant (for example, 49% and less).

Findings of Fact

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

Attachments

- Exhibit A – Petitioner’s Materials and Findings of Fact
- Exhibit B – Research on regulations from neighboring municipalities for live entertainment
- Exhibit C – Section XIV.B
- Exhibit D – Sections VIII.B and VIII.C
- Exhibit E – Section VIII.A
- Exhibit F – Public Comments



EXHIBIT A
VILLAGE OF BURR RIDGE
PETITION FOR PUBLIC HEARING
PLAN COMMISSION/ZONING BOARD OF
APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Janine Farrell, Community Development Director,
Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

PETITIONER'S ADDRESS: 7660 County Line Road, Burr Ridge, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

PROPERTY OWNER'S ADDRESS: N/A

PHONE: N/A

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

DESCRIPTION OF REQUEST:

Amendments to Zoning Ordinance sections VIII.A, VIII.B, VIII.C, and XIV.B to define "live entertainment" and
to permit "live entertainment" as accessory to certain uses in the Business Districts.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: N/A

EXISTING ZONING: N/A

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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.

Janine Farrell
Petitioner's Signature

3/22/2022
Date of Filing



**FINDINGS OF FACT
FOR AN AMENDMENT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE**

Section XIII.J of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings in order to recommend a text amendment to the Zoning Ordinance. The petitioner must respond to and confirm each of the following findings by indicating the facts supporting such findings.

- a. The amendment is compatible with other standards and uses of the Zoning Ordinance;

The Zoning Ordinance contains numerous definitions for uses and terms. "Live entertainment" is currently undefined and what uses constitute live entertainment are subject to interpretation.

Permitting live entertainment as accessory to a restaurant use, but ensuring that it meets other regulations such as those pertaining to noise, is compatible with other accessory uses within the Zoning Ordinance. Accessory uses are typically permitted by right in conjunction with a principal use, like a shed is a permitted accessory to a residence as long as it complies with regulations.

- b. The amendment fulfills the purpose and intent of the Zoning Ordinance;

By including a definition for live entertainment, clarity is provided to all parties including residents, business owners, staff, and elected officials. The intent and purpose of the Zoning Ordinance to provide transparency in regulations.

By permitting live entertainment as accessory to the restaurant use but also including regulations to ensure that the use is not a nuisance to neighbors, fulfills the intent and purpose of the Zoning Ordinance to regulate uses appropriately.

(Please transcribe or attach additional pages as necessary)

EXHIBIT B

Municipality	Live Entertainment in Business or Commercial Districts (Indoor only)
Clarendon Hills	Special use for all districts
Darien	Prohibited in B-1; allowed as accessory in B-2 and B-3
Downers Grove	Information not yet received
Hinsdale	Special use for all districts
Indian Head Park	B-3 special use; B-6 permitted
LaGrange	Permitted as accessory
Lemont	Controlled by liquor license
Naperville	Prohibited in B-1; permit required in other districts
Oak Brook	Prohibited in B-1; Permitted in B-2 and B-3
Western Springs	Prohibited in B-1; unclear if a permitted accessory in other districts
Westmont	Information not yet received
Willow Springs	Information not yet received
Willowbrook	Special use in B-4 only

Note: Like Burr Ridge, the Business or Commercial districts above increase in intensity as the number increases. As an example, a B-1 district is neighborhood shopping (hair salon) while a B-3 district is highway commercial (gas station).

EXHIBIT C



BURR RIDGE ZONING ORDINANCE

SECTION XIV RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction unless they are inconsistent with the manifest intent of the Board of Trustees of the Village of Burr Ridge or the context clearly requires otherwise:

1. Words used in the present tense shall include the past and the future tense.
2. Words used in the singular number shall include the plural number, and the plural the singular.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The masculine gender includes the feminine and neuter.
6. The word "person" shall include a firm, proprietorship, joint venture, association, agent, organization, partnership, trust, company or corporation, and any other form of legal entity, as well as an individual, so that where the word "person" is used it is clear that any entity which would be subject to the Zoning Ordinance would be defined as a person.
7. All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full foot next above shall be taken. Unless otherwise specified, all distances shall be measured horizontally.
8. The word "building" includes all other structures of every kind regardless of similarity to buildings.
9. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

B. DEFINITIONS

In further amplification and for clarity of interpretation of the context of this Ordinance, the following words and terms shall have the meaning set forth herein. Words contained in this Ordinance and not defined hereinafter shall assume such definitions as prescribed in the most recent edition of Webster's unabridged dictionary which apply in the context in which they are used herein.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING OR USE: An accessory building, structure or use is one which:

1. Is clearly incidental to, subordinate in purpose to, and serves the principal building or use.



KENNEL: Any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over six months of age are kept, or on which more than two such animals are maintained, boarded, trained, groomed, bred, or cared for in return for remuneration, or are kept for the purpose of sale. Any premise of five acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.

LABORATORY: A place devoted to experimental study such as testing and analyzing. Manufacturing and sale of product or products is not permitted within a laboratory.

LAUNDERETTE: A business that provides coin operated self-service machines for use by customers on the premises to wash, dry and/or iron clothing, provided that no pick-up or delivery service is maintained.

LIVE ENTERTAINMENT: Any activity provided for pleasure, enjoyment, recreation, relaxation, diversion or other similar purpose by a person or persons who are physically present when providing an activity to a patron or group of patrons who are physically present. Live entertainment means any one or more of any of the following, performed live by one or more persons: (1) musical act (including karaoke); (2) theatrical act (including stand-up comedy or performance art); (3) play; (4) revue; (5) dance; (6) magic act; (7) disc jockey; or (8) similar activity. Live entertainment does not include television, radio, closed circuit or Internet broadcasts of live entertainment.

LIVESTOCK: Horses, ponies, donkeys, sheep, goats and cattle.

LIQUOR STORE, PACKAGE: A business establishment where alcoholic beverages are kept and sold in their original containers and where such alcoholic beverages are not consumed on the premises.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and vans and with access to a street or alley.

LODGING HOUSE (including BOARDING and ROOMING HOUSE): A residential building, or portion thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which accommodate three or more persons who are not members of the keeper's family and where lodging, with or without meals, is provided for compensation on a weekly or monthly basis.

LODGING ROOM (ROOMING UNIT): A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT: A single parcel of land which is legally described and recorded as such, or which is one of two or more numbered lots or parts of such lots legally described and recorded as a part of a recorded subdivision plat, and, in any case, is located within a single block (regardless of whether or not the "block" is recorded as such) and has its principal frontage on a street or an easement or other common-use right-of-way. No parcel shall be considered a lot, even though it is called or designated a lot, if it does not have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the lot width. A lot is also one of two or more contiguous lots or parts of lots of record comprising the tract of land which is designated by the owner at the time of application for a building permit as the site to be used, developed, or built upon as a unit under single ownership or control. Therefore, a lot may or may not coincide with a single lot of record. The term "lot" shall also include any

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.B B-1 BUSINESS DISTRICT

B. B-1 RETAIL BUSINESS DISTRICT

The B-1 District is intended to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district.

1. 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 with less than 7000 square feet of floor area
- b. Art galleries
- c. Art and school supplies
- d. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- e. Barber shops
- f. Beauty and Health Services
- g. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- h. Book stores and stationery shops
- i. Camera and photographic supply stores
- j. Candy stores
- k. Card and gift shops
- l. Carpet and rug stores (retail only)
- m. China, glassware and household goods stores
- n. Clothing, clothing rental, and clothing accessory stores
- o. Coin and philatelic stores
- p. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales and with less than 7,000 square feet of floor area
- q. Craft, fabric, and sewing stores



- r. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- s. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- t. Florist shops
- u. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- v. Furniture stores with less than 7,000 square feet of floor area
- w. Furrier shops
- x. Hardware stores with less than 7,000 square feet of floor area
- y. Health and Athletic Club with less than 7,000 square feet of floor area (Amended by Ordinance A-834-25-15)
- z. Hobby shops (not including video game parlors or arcades)
- aa. Interior decorating shops
- bb. Jewelry stores, including watch repairs, design and production of custom jewelry
- cc. Leather goods and luggage stores
- ~~dd.~~ Live entertainment accessory to a restaurant or to a wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site, subject to compliance with Section VIII.A.12
- ~~dd.~~ee. Locksmith shops
- ~~ee.~~ff. Music stores including sheet music, recorded music, and musical instrument sales and repair
- ~~ff.~~gg. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- ~~gg.~~hh. Paint and wallpaper stores with less than 7,000 square feet of floor area
- ~~hh.~~ii. Pharmacies and Drug Stores
- ~~ii.~~jj. Photography studios
- ~~jj.~~kk. Picture framing, when conducted for retail sales on the premises only
- ~~kk.~~ll. Post Offices accessory to a permitted or special use
- ~~ll.~~mm. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- ~~mm.~~nn. Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~nn.~~oo. Shoe sales and shoe repair stores with less than 7,000 square feet of floor area
- ~~oo.~~pp. Sporting goods stores with less than 7,000 square feet of floor area
- ~~pp.~~qq. Tailor and dressmaking shops



~~qq-rr.~~ Toy stores with less than 7,000 square feet of floor area

~~ff-ss.~~ Video rental stores

~~ss-tt.~~ Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses

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

- a. Antique shops with more than 7000 square feet of floor area
- b. Banks and Financial Institutions (Amended by Ordinance A-834-06-09)
- c. Banquet Halls
- d. Catering establishments
- e. Child care centers and nursery schools
- f. Clubs or Lodges, private, fraternal, or religious
- g. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales, with more than 7,000 square feet of floor area
- h. Convenience Food Stores
- i. Department Stores
- j. Drive through facilities accessory to a permitted or special use
- k. Dry cleaners with on-site equipment for dry cleaning
- l. Financial Services Offices (Amended by Ordinance A-834-06-09)
- m. Funeral parlors
- n. Furniture stores with more than 7,000 square feet of floor area
- o. Hardware stores with more than 7,000 square feet of floor area
- p. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 (Amended by Ordinance A-834-03-12).
- q. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- r. Insurance Offices (Amended by Ordinance A-834-06-09)
- s. Laundromats
- t. Liquor stores (package goods sales only)
- u. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)



- v. Office Supply and Service Stores including copying and package delivery services, with more than 7000 square feet of floor area
- w. Orthopedic and Medical Appliance Stores
- x. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- y. Outside sales display accessory to a permitted or special use
- z. Paint and wallpaper stores with more than 7,000 square feet of floor area
- aa. Parking lots and structures where such uses are the principal use on a lot
- bb. Pet shops and pet service stores
- cc. Planned unit developments
- dd. Post offices, Federal Government
- ee. Real Estate Offices (Amended by Ordinance A-834-06-09)
- ff. Restaurants in single tenant buildings or with any one of the following: ~~live entertainment, dancing,~~ or sales of alcoholic beverages (Amended by Ordinance A-834-6-99).
- gg. Shoe sales and shoe repair stores with more than 7,000 square feet of floor area
- hh. Shopping centers (containing stores listed as permitted or special uses in this B-1 District) with less than 100,000 square feet of floor area
- ii. Sporting goods stores with more than 7,000 square feet of floor area
- jj. Theaters, performing arts, indoor only
- kk. Toy stores with more than 7,000 square feet of floor area
- ll. Travel Agencies (Amended by Ordinance A-834-06-09)
- mm. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11).
- nn. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site (Amended by Ordinance A-834-01-11)

3. **Lot Size Requirements:**

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	10,000 square feet	80 feet
b. <u>Special Uses</u>		



(1) All special uses except those listed below	10,000 square feet	80 feet
(2) Convents, monasteries, and theological schools	10 Acres	500 feet
(3) Child care centers and nursery schools	As approved by the Village	
(4) Funeral Parlors	30,000 square feet	150 feet
(5) Parking lots or Structures (as principal use)	10,000 square feet	100 feet
(6) Planned Unit Developments	6 acres	350 feet
(7) Post Offices	10,000 square feet	150 feet
(8) Shopping Centers	3 acres	250 feet

4. Floor Area Ratio:

Not to exceed 0.40.

5. Building Height:

Not to exceed two and one-half stories or 35 feet, whichever is less.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided, it must be at least 20 feet in width.
- d. Rear yard: 40 feet
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.

EXHIBIT D



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

C. **B-2 GENERAL BUSINESS DISTRICT**

The intent of the B-2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Many such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

1. **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 with less than 7000 square feet of floor area
- b. Art Galleries
- c. Art and School Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



- s. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- t. Craft, fabric, and sewing stores
- u. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- v. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- w. Florist shops
- x. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- y. Furniture stores
- z. Furrier shops
- aa. Garden, landscape, and patio stores
- bb. Hardware and home improvements stores
- cc. Hobby shops (not including video game parlors or arcades)
- dd. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- ee. Interior decorating shops
- ff. Jewelry stores, including watch repairs, design and production of custom jewelry
- gg. Leather goods and luggage stores
- hh. Live entertainment accessory to a restaurant use subject to compliance with Section VIII.A.12
- ii. Locksmith shops
- jj. Music stores including sheet music, recorded music, and musical instrument sales and repair
- kk. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- ll. Orthopedic and Medical Appliance Stores
- mm. Paint and wallpaper stores
- nn. Pharmacies and Drug Stores
- oo. Photography studios
- pp. Picture framing, when conducted for retail sales on the premises only
- qq. Playground equipment sales with indoor display



- ~~qqrr.~~ Post Offices, federal government, freestanding or accessory to a permitted or special use
- ~~rss.~~ Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: ~~live entertainment, dancing, or sales of alcoholic beverages~~
- ~~sstt.~~ Studios for teaching of art, martial arts, music, dance, and gymnastics
- ~~tuu.~~ Shoe sales and shoe repair stores
- ~~uvv.~~ Sporting goods stores
- ~~vww.~~ Tailor and dressmaking shops
- ~~wwwxx.~~ Toy stores
- ~~xyy.~~ Video rental stores
- ~~yyzz.~~ Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. **Special Uses:**

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

- a. Amusement establishments, indoor and outdoor, including golf courses and ranges, miniature golf, batting cages, bowling alleys, tennis, racquetball, gymnasiums, swimming pools, and ice skating rinks but excluding arcades
- b. Animal hospitals and veterinary clinics
- c. Antique shops with more than 7000 square feet of floor area
- d. Automobile sales, new or used and including trucks
- e. Automobile gasoline sales stations
- f. Automobile service and repair
- g. Banks and financial institutions (Amended by Ordinance A-834-06-09)
- h. Banquet halls
- i. Building material sales
- j. Car washes, automatic, self-service, or hand wash
- k. Clubs or lodges, private, fraternal, or religious
- l. Colleges, universities, or business vocational schools
- m. Convents, monasteries, and theological schools
- n. Convenience Food Stores
- o. Child Care Centers and Nursery Schools



- p. Department Stores
- q. Drive through facilities accessory to any permitted or special use
- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Golf Simulation Facility with Sales of Alcoholic and non-Alcoholic Beverages and pre-packaged food and snacks (Amended by Ordinance A-834-23-16)
- v. Greenhouses, retail sales only
- w. Health and athletic clubs and gymnasiums
- x. Hotels and motels (including dining and meeting rooms)
- y. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 herein (Amended by Ordinance A-834-03-12).
- z. Insurance Offices (Amended by Ordinance A-834-06-09)
- aa. Kennels
- bb. Laundromats
- cc. Liquor Stores (packaged goods sales only)
- dd. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- ee. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ff. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- gg. Outside sales display accessory to a permitted or special use
- hh. Parking lots and structures where such uses are the principal use on a lot
- ii. Pet shops and pet service stores
- jj. Planned unit developments
- kk. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- ll. Real Estate Offices (Amended by Ordinance A-834-06-09)
- mm. Restaurants in single tenant buildings or with any one of the following: ~~live entertainment, dancing,~~ or sales of alcoholic beverages (Amended by Ordinance A-834-6-99)
- nn. Running Store/Fitness Apparel Store with Sales of Craft Beer or Wine (Amended by Ordinance A-834-14-16)



- oo. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)
- pp. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility.” Amended Ordinance A-834-7-97
- qq. Theaters, performing arts, indoor
- rr. Tobacco Shops
- ss. Travel Agencies (Amended by Ordinance A-834-06-09)
- tt. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11)
- uu. Multiple buildings on a single lot if said building and lot are under common ownership and that all necessary infrastructure is provided for each of the buildings consistent with the Village’s subdivision regulations. (Amended Ordinance A-834-03-08)

3. Lot Size Requirements:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	20,000 square feet	120 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	20,000 square feet	120 feet
(2) Colleges, universities	80 Acres	1,000 feet
(3) Restaurants with drive-thru facilities	40,000 square feet	200 feet
(4) Banks and Financial Institutions with drive-through facilities	1 acre	200 feet
(5) Funeral parlors	30,000 square feet	150 feet
(6) Greenhouse, retail sales only	1 acre	200 feet
(7) Hotels and motels	2 acres	250 feet
(8) Planned Unit Developments	5 acres	250 feet
(9) Shopping Centers	5 acres	250 feet



4. Floor Area Ratio:

Not to exceed 0.40.

5. Maximum Building Height:

Not to exceed 35 feet.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided it must be at least 20 feet in width.
- d. Rear yard: 40 feet.
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.

~~EXHIBIT E~~ EXHIBIT E



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



establishment.

2. A delivery truck as defined for purposes of these regulations shall not exceed 24,000 pounds.
 3. Delivery trucks shall be parked in an employee parking lot designated at the time of the site plan approval or in the rear of the business establishment. However, if the rear of the business establishment adjoins a residential district, said delivery trucks shall be screened from view from the residential district or parked to the side of the principal building. Under no circumstances shall a delivery truck be parked between the principal building and the front or corner side property line.
- c. Off-street parking and loading shall be provided in accordance with the regulations established in Section XI of this Ordinance.

8. Signs

All signs shall comply with the applicable provisions of the sign regulations of the Burr Ridge Municipal Code (such Sign Ordinance shall not be construed as being incorporated herein).

9. Building and Site Plan Review

- a. Due to the need to protect valued natural resources and the integrity and environment of the Village's residential neighborhoods, traffic congestion and safety conditions and the land-use character of key intersections, areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. Therefore, all petitions for rezoning to the B-1 or B-2 Districts, all requests for special use approval pursuant to Sections VIII.B.2 and VIII.C.2 herein, and all applications for building permits for the construction of new buildings, building additions, structures, parking lots, and fences within the B-1 or B-2 Districts, shall be subject to building and site plan review and approval. Any building, structure, and site development must comply strictly with the approved site plan, and any building or occupancy permit will not be issued, or will be revoked if already issued, if the development does not strictly comply with the approved site plan.
- b. The site plan shall indicate the locations of proposed and existing buildings and structures and any proposed new additions to the existing buildings and structures, properly arranged facilities, water detention and drainage facilities, landscaping, buffering to adjacent residential areas, and such other buffering or features as are necessary or appropriate to fit harmoniously with the character, use and zoning of adjoining and surrounding properties and to avoid any appreciable adverse effect upon such properties. Such site plan shall also include and/or be accompanied by the documents and information required under Section XIII of this Ordinance. The Plan Commission, in its discretion, may waive the requirement of submitting any or all such information in connection with applications for approval of site plans for uses in the Business Districts.
- c. Such building and site plan and any accompanying documents or information, shall be filed with the Community Development Director. The Community Development Director shall schedule the building and site plan for review by the Plan Commission and shall provide notice of the Plan Commission's scheduled review in compliance with established procedures



for notice of Plan Commission public hearings.

- d. The Community Development Director shall refer such building and site plan and documents to the Plan Commission and the Village Engineer, Village Forester, and Building Commissioner for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Engineer, Village Forester and Building Commissioner at the first meeting following receipt of a report of their findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed site plan, or approve it with modification, or shall refer the site plan back to the Plan Commission for reconsideration or modification. The Plan Commission's recommendation to approve and the Board's approval of building and site plans may be conditioned on future approval of revised landscaping plans or engineering, as may be needed due to required site plan modification.
- e. All exterior building facades in the Business Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels, or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as "Dryvit" or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Business Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:
 - 1. The majority of a building's façade should be brick, natural stone, pre-cast stone architectural pre-cast panels, or glass.
 - 2. The first 8 feet from the top of the building's foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
 - 3. Stucco shall be installed as per the manufacturer's specifications. (9e added by Ordinance A-834-01-12).

10. Landscaping and Buffering

- a. All required parking areas, yards or other required open spaces shall be appropriately landscaped in accordance with Section XI.C.11 and with landscaping plans submitted to and approved by the Village, and thereafter shall be maintained in such a manner as to retain the intended standards of the approved landscaping plan and to conform to the landscaping requirements of the Village. As part of Subsection VIII.A.9, Site Plan Review will include the review of proposed landscape design and improvements. The proposed landscaping plan shall be filed with the Community Development Director, who shall then refer it to the Plan Commission and the Village Forester for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Forester at the first meeting following receipt of said report and findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed plan, or approve it with modifications, or shall refer the plan back to the Plan Commission for reconsideration or modification.



- 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).

12. Live Entertainment

- a. Live entertainment shall be a permitted accessory use for all restaurants and for all wine boutiques with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site, located within a B1 or B2 District, including all existing restaurants or wine boutiques which have been approved by special use or PUD, regardless of whether the ordinance approving such special use or PUD specified differently.
- b. Live entertainment is prohibited from occurring within outdoor areas or from being broadcast to outdoor areas.
- c. Live entertainment shall comply with Zoning Ordinance Section IV, Noise Regulations.



d. A floor plan which illustrates both seating and the space dedicated to the live entertainment area shall be provided to the Community Development Director for review and approval before live entertainment is authorized. The live entertainment area cannot occupy greater than 49% of the total space dedicated to patrons.

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From: [Patricia Davis](#)
To: gtrzupek@esadesign.com; [Janine Farrell](#)
Subject: Comments for April 18 Plan Commission meeting
Date: Tuesday, April 12, 2022 9:55:48 AM

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

I have some thoughts on hours of operation for restaurants and on live entertainment in the Village. I respectfully request that this letter be included in the agenda packet for the April 18, 2022 Plan Commission meeting.

Someone wise once said, "Nothing good happens after midnight." As Ms. Farrell's excellent research shows, there are differing operating hours for liquor license holders in this village and I applaud the Commission's attempt at standardization. I advocate for a closing time for ALL liquor license holders of midnight Fridays and Saturdays and 11 pm Sundays -- Thursdays. This is consistent with closing hours of restaurants and bars in other small towns like Burr Ridge. We don't want to be known as a place to come and drink past midnight when surrounding towns' restaurants and bars have closed their doors.

I am not opposed to live entertainment and also applaud the Commission's attempt to standardize this across businesses without need for a special use. However, I respectfully ask the Commission to prohibit live entertainment outside any business that holds a liquor license at all operating hours. Please consider the rights of residents to enjoy their properties without annoying karaoke, DJs, bands, singers, and the like disturbing the peace.

Lastly, why only standardize operating hours and entertainment within the "Business District" as called for in this Public Hearing? Any new rules you issue must also apply to restaurants and bars outside the District: Falco's, and restaurants and bars in Burr Ridge's hotels and at the Edgewood Valley Country Club.

Thank you for your consideration.

Respectfully,
Patricia A. Davis
Burr Ridge resident



Z-12-2022: Request to consider text amendments to Section IV.K of the Zoning Ordinance to amend the definition for a commercial vehicle and regulations for commercial vehicles in residential districts

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

Petitioner: Village of Burr Ridge

Prepared by: Janine Farrell, Community Development Director

Date of Hearing: June 6, 2022

On June 28, 2022, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to refine what constitutes a “commercial vehicle” and review the regulations pertaining to the parking of commercial vehicles in the residential areas.

Under current Zoning Ordinance regulations for the residential zoning districts, commercial vehicles are prohibited from being parked overnight and outside. Only two commercial vehicles may be stored inside a fully enclosed building or structure for detached, single-family residences. Only one commercial vehicle may be stored inside a fully enclosed building or structure for duplexes, two-family, multi-family, or townhomes.

Section IV.K.2.e defines a commercial vehicle 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)

While the Commission may wish to amend all five of the above definitions for commercial vehicles, letter ‘ii’ has posed an enforcement challenge since many pick-up trucks with Class B plates have storage boxes built into the beds but are used only for personal purposes. According to the Illinois Secretary of State, a Class B plate is for a vehicle weighing 8,000 pounds or less. A Class C plate is for vehicles 8,001-10,000 pounds. A Class D plate is for a vehicle weighing

10,001-12,000 pounds. For reference, a Ford F-350 truck can weight up 7,700 pounds which is within a Class B plate rating. Under current Zoning Ordinance regulations, a pick-up truck with a storage box could not be parked overnight, outside of a residential property because it would be defined as a commercial vehicle.



Examples of storage boxes and racks in truck beds.

If the Commission wishes to pursue amending this provision, staff has provided some options for discussion:

- (1) Strike the provision completely.
 - a. ~~“Any vehicle with attached auxiliary equipment including, but not limited to plows, equipment, racks, storage boxes or lockers.”~~
- (2) Remove portions of the provision that the Commission may wish to exclude from the definition such as racks, storage boxes, or lockers.
 - a. “Any vehicle with attached auxiliary equipment including, but not limited to plows, and work equipment, ~~racks, storage boxes or lockers.~~”
- (3) Require at least one other qualifier in section IV.K.2.e be present.
 - a. “Any vehicle with attached auxiliary equipment including, but not limited to plows, equipment, racks, storage boxes or lockers, and which also includes at least one additional criterion as defined in Section IV.K.2.e.”

Findings of Fact

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

Attachments

- Exhibit A – Petitioner’s Materials and Findings of Fact
- Exhibit B – Zoning Ordinance Section IV.K excerpt

EXHIBIT A



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Janine Farrell, Community Development Director
Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge/municipality

PETITIONER'S ADDRESS: 7660 S. County Line Road, Burr Ridge, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630) 654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

PROPERTY OWNER'S ADDRESS: N/A PHONE: N/A

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

DESCRIPTION OF REQUEST:

Request to amend section IV.K of the Zoning Ordinance to amend the definition for a commercial vehicle and regulations for commercial vehicles in residential districts.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: N/A EXISTING ZONING: N/A

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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.

Janine Farrell
Petitioner's Signature

3/22/2020
Date of Filing



**FINDINGS OF FACT
FOR AN AMENDMENT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE**

Section XIII.J of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings in order to recommend a text amendment to the Zoning Ordinance. The petitioner must respond to and confirm each of the following findings by indicating the facts supporting such findings.

- a. The amendment is compatible with other standards and uses of the Zoning Ordinance;

Commercial vehicles in residential districts are prohibited from being parked outside overnight. While this restriction is compatible with other standards and uses of the Zoning Ordinance and is not part of the text amendment request, the definition of a commercial vehicle includes a pick-up truck with a storage box. Vehicles of that type are commonly used for personal purposes, not necessarily commercial reasons.

- b. The amendment fulfills the purpose and intent of the Zoning Ordinance;

Amending the definition of a commercial vehicle to ensure that residents with pick-up trucks which have storage boxes can be stored outside, overnight complies with the intent of the Zoning Ordinance's overall restrictions on commercial vehicles.

(Please transcribe or attach additional pages as necessary)

EXHIBIT B



BURR RIDGE ZONING ORDINANCE

SECTION IV GENERAL REGULATIONS

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



Section IV General Regulations

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)



VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Janine Farrell, AICP
Community Development Director

DATE: June 6, 2022

RE: Board Report

At their May 23, 2022 meeting, the Board of Trustees took the following actions relative to matters forwarded from the Plan Commission:

- **Z-09-2022 Text Amendment for restaurant hours of operation in the Business districts:** The Board approved an Ordinance for the request.
- **Z-04-2022 Special Use and Special Use Amendment for the expansion of Are We Live, 308-312 Burr Ridge Parkway (Rovito):** The Board approved an Ordinance for the request.
- **V-02-2022 Variation to permit a detached garage in the side buildable area at 8311 Fars Cove (Panico):** The Board approved an Ordinance for the request.
- **Z-15-2022: 7950 Drew Avenue (Perino/Jarper Properties LLC); Special Use, PUD Amendment and Findings of Fact:** The Board remanded the petition back to the Plan Commission after a member of the public made statements that the proceedings of the May 16 meeting may have been influenced by a Commissioner interested in purchasing one of the proposed homes.
- **Z-10-2022: 9115 Kingery Highway (Thorntons LLC) AMENDED PETITION; Special Uses, PUD Amendment, Variations, and Findings of Fact:** After receiving written confirmation to amend the request to include 24-hour operation, the Board remanded the petition back to the Plan Commission for a new public hearing.

05/16/2022

Permits Applied For April 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info		Description
JCA-22-086	04/01/2022	101 Burr Ridge Pkwy	L'evate Holdings	2048 N. Whipple Street Chicago IL 60647	Com Alteration
JCMSC-22-106	04/14/2022	212 Burr Ridge Pkwy	Ed Signs Inc	3339 W Columbus Ave Suite A Chicago IL 60652	Commercial Miscellaneous
JCMSC-22-121	04/29/2022	7850 Grant St	Power Solutions International	7850 S. Grant Street Burr Ridge IL 60527	Commercial Miscellaneous
JCNC-22-115	04/21/2022	6101 County Line Rd	Pepper Construction	411 Lake Zurich Rd. Barrington IL 60010	Com New Construction
JDEK-22-100	04/12/2022	142 Circle Ridge Dr	Platinum Decking LLC	915 Lunt Avenue Schaumburg IL 60193	Deck
JDEK-22-122	04/28/2022	1003 Kenmare Dr	Woodridge Deck & Gazebo Co	2246 Palmer Dr Schaumburg IL 60173	Deck
JDS-22-109	04/15/2022	7208 Central Ave	Homeowner	Burr Ridge IL 60527	Demolition Structure
JPAT-22-087	04/04/2022	7941 Creekwood Dr	Concrete Craft of Chicago	840 N. Ridge Ave Lombard IL 60148	Patio
JPAT-22-101	04/12/2022	142 Circle Ridge Dr	Platinum Decking LLC	915 Lunt Avenue Schaumburg IL 60193	Patio
JPAT-22-103	04/13/2022	6101 Wildwood Ln	King's Landscaping	16W280 Jeans Rd. Lemont IL 60439	Patio
JPF-22-085	04/01/2022	8461 Park Ave	Northwest Cedar Products	15537 S. Weber Road Lockport IL 60441	Fence Permit
JPF-22-099	04/13/2022	8448 Clynderven Rd	Ameri Dream Fence & Deck, I	1419 E. Cass St. Joliet IL 60432	Fence Permit
JPF-22-114	04/21/2022	8901 Royal Dr	Ameridream Fence	1419 E. Cass Street Joliet IL 60432	Fence Permit
JPF-22-119	04/26/2022	331 94th St	Homeowner	Burr Ridge IL 60527	Fence Permit
JPF-22-125	04/28/2022	6755 Fieldstone Dr	Freeman Fence, Inc.	3515 Cleveland Ave. Brookfield IL 60513	Fence Permit
JPF-22-126	04/29/2022	5942 Elm	Peerless Fence	33 W 401 Roosevelt Rd West Chicago IL 60185	Fence Permit
JPPL-22-095	04/08/2022	2 Hillcrest Ct	Premier Pools & Spas	601 S. Broadway Aurora IL 60505	Pool

05/16/2022

Permits Applied For April 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info		Description
JPS-22-092	04/06/2022	460 Village Center Dr.	4MC Corporation		Sign
JPS-22-097	04/08/2022	410 Village Center Dr.	Neon Art Sign	4752 N. Avers Chicago IL 60625	Sign
JRAD-22-105	04/13/2022	216 W 59th St	Gonman Construction Compan	10450 S. Western Chicago IL 60643	Residential Addition
JRAD-22-110	04/15/2022	8079 Creekwood Dr	Homeowner	Burr Ridge IL 60527	Residential Addition
JRAD-22-123	04/28/2022	15W 218 87th St	Vendramini Construction	1097 N. 400 E Chesterton IN 46304	Residential Addition
JRAL-22-088	04/04/2022	7941 Creekwood Dr	Elia Paving	P.O. Box 580 Hinsdale IL 60522	Right-of-Way
JRAL-22-089	04/04/2022	ROWs Ck Cty Locations	ComEd	1 Lincoln Centre Oak Brook Terrace IL 60181	Right-of-Way
JRAL-22-090	04/05/2022	7 Buege Ln	The Beauty of Concrete, Inc.	282 Plainview Dr Bolingbrook IL 60440	Right-of-Way
JRAL-22-091	04/06/2022	11365 W 75th St	F & J Paving Inc	P O Box 35026 Elmwood Park IL 60707	Right-of-Way
JRAL-22-094	04/07/2022	ROWs DuPage Locations	RS Services Systems, Inc.	38 Forestwood Dr. Romeoville IL 60446	Right-of-Way
JRAL-22-096	04/08/2022	412 Kirkwood Cove	Wilson Paving & Sealcoat Com	508 Oakwood Ave. Lemont IL 60439	Right-of-Way
JRAL-22-098	04/08/2022	18 Tartan Ridge Rd	Homeowner	Burr Ridge IL 60527	Residential Alteration
JRAL-22-104	04/13/2022	32 Hidden Lake Dr	Lemont Paving Company	11550 Archer Ave Lemont IL 60439	Right-of-Way
JRAL-22-108	04/15/2022	125 60th St	Lemont Paving Company	11550 Archer Ave Lemont IL 60439	Right-of-Way
JRAL-22-111	04/19/2022	1490 Garywood Dr	Great American Exteriors	470 Spring Road Elmhurst IL 60126	Right-of-Way
JRAL-22-112	04/19/2022	6025 Woodcreek Dr	Hector Duran	8900 Central Avenue Oak Lawn IL 60453	Right-of-Way
JRAL-22-116	04/21/2022	755 W Shepard Ln	The Concrete Doctors	242 N. York Rd Suite 200 Elmhurst IL 60126	Right-of-Way

05/16/2022

Permits Applied For April 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info		Description
JRAL-22-117	04/22/2022	16W 328 95TH PL	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way
JRAL-22-120	04/27/2022	1 Hillcrest Ct	Arce Tec, Ltd New Line Desig	19636 9th Ave #1 Mokena IL 60448	Residential Alteration
JRAL-22-124	04/29/2022	15W 734 74th St	Trusty Plumbing, Inc.	205 Washington Av La Grange IL 60525	Right-of-Way
JRAL-22-140	04/13/2022	ROWs Ck Cty Locations	ComEd	1 Lincoln Centre Oak Brook Terrace IL 60181	Right-of-Way
JRDB-22-102	04/13/2022	11445 79th St	TBD		Residential Detached Building
JRPE-22-107	04/14/2022	6923 Fieldstone Dr	Black Diamond Plumbing & El	1400 Miller Parkway Mchenry IL 60050	Res Electrical Permit
JRPE-22-118	04/22/2022	8011 Greenbriar Ct	Red Star Electric	2232 Hawthorne Ave Westchester IL 60154	Res Electrical Permit
JRSF-22-093	04/07/2022	7 Arcadia Ct	McNaughton Brothers Constr	16W347 83rd St. Burr Ridge IL 60527	Residential New Single Family
JRSF-22-113	04/20/2022	460 60th Pl	Rose Development	7851 W Ogden Ave. #200 Lyons IL 60534	Residential New Single Family
TOTAL:	43				

05/16/2022

Permits Issued April 2022



Permit Number	Date Issued	Property Address	Applicant Name & Contact Info	Description	Value & Sq Ftg	
JCA-22-060	04/07/2022	16W 30 83RD ST	Double Good	16W030 83rd St Burr Ridge IL 60527	Com Alteration \$250,000	743
JCA-22-086	04/08/2022	101 Burr Ridge Pkwy	L'evate Holdings	2048 N. Whipple Street Chicago IL 60647	Com Alteration \$60,000	2,723
JCPP-22-041	04/13/2022	660 79th St	DePue Mechanical	113 Ridge Road Minooka IL 60447	Com Plumbing Permit \$250,000	296
JELV-22-051	04/14/2022	6300 Elm St	DME Elevators & Lifts	1973 Ohio St Lisle IL 60532	Elevator	
JGEN-22-048	04/15/2022	8221 Lake Ridge Dr	Alternating Currents Corp.	21W180 Hill Av. Glen Ellyn IL 60137	Generator \$12,539	
JPAT-22-050	04/18/2022	109 Carriage Way Dr	Celtic Development & Constr	2519 N. California Ave Unit C Chicago IL 60647	Patio \$35,000	
JPAT-22-065	04/14/2022	11506 Ridgewood Ln	Euro Paving	22W250 Temple Drive Medinah IL 60157	Patio \$19,000	
JPAT-22-072	04/18/2022	8241 Lake Ridge Dr	The Beauty of Concrete, Inc.	282 Plainview Dr Bolingbrook IL 60440	Patio \$9,000	
JPAT-22-087	04/25/2022	7941 Creekwood Dr	Concrete Craft of Chicago	840 N. Ridge Ave Lombard IL 60148	Patio \$10,750	
JPF-22-049	04/15/2022	6235 Grant St	Golden Fence, Inc.	124 Telluride Lane Fox Lake IL 60020	Fence Permit \$14,300	
JPF-22-059	04/08/2022	8401 Clyndervan Rd	Paramount Fence	557A S. River St. Batavia IL 60510	Fence Permit \$9,785	
JPS-22-029	04/07/2022	503 Village Center Dr.	Creative Led Signs	12560 S. Holiday Dr #B Alsip IL 60803	Sign	
JPS-22-062	04/11/2022	545 Village Center Dr.	AFF Above Finished Floor Stu	680 Fargo Avenue Elk Grove Village IL 60007	Sign	
JRAL-21-409	04/06/2022	3 Tori Ct	Homeowner	Burr Ridge IL 60527	Residential Alteration \$9,000	120
JRAL-22-045	04/28/2022	7967 Shag Bark Ln	TBD		Residential Alteration \$65,400	872
JRAL-22-058	04/07/2022	ROWs Ck Cty Locations	ComEd New Business	1040 N. Janes Av. Bolingbrook IL 60440	Right-of-Way	

05/16/2022

Permits Issued April 2022



Permit Number	Date Issued	Property Address	Applicant Name & Contact Info	Description	Value & Sq Ftg	
JRAL-22-063	04/12/2022	115 Northgate Pl	Absolute Construction, Inc.	954 Kennedy Av. Schereville IN 46375	Residential Alteration \$10,000	12
JRAL-22-064	04/11/2022	5 Hampton Ct	Wilson Paving & Sealcoat Com	508 Oakwood Ave. Lemont IL 60439	Right-of-Way \$8,100	
JRAL-22-067	04/18/2022	2 Devon Ct	Joel Galindo	3824 W. 24th Street Chicago IL 60623	Right-of-Way	
JRAL-22-068	04/15/2022	8190 Ridgepointe Dr	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way \$7,800	
JRAL-22-069	04/15/2022	8497 Kimberly Ct	Irish Castle Paving	7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way \$4,550	
JRAL-22-074	04/22/2022	176 Foxborough Pl	Kitchen Bath & Beyond Showr	6244 Main St Downers Grove IL 60516	Residential Alteration \$10,425	139
JRAL-22-078	04/25/2022	7734 County Line Rd	Zaldivar Landscaping	440 Cumberland Lane Bolingbrook IL 60440	Right-of-Way \$30,000	
JRAL-22-083	04/22/2022	585 87th St	Dressler-Block Concrete	13152 Meadow Lane Plainfield IL 60585	Right-of-Way \$9,620	
JRAL-22-088	04/25/2022	7941 Creekwood Dr	Elia Paving	P.O. Box 580 Hinsdale IL 60522	Right-of-Way \$14,642	
JRAL-22-090	04/26/2022	7 Buege Ln	The Beauty of Concrete, Inc.	282 Plainview Dr Bolingbrook IL 60440	Right-of-Way \$0	
JRAL-22-091	04/27/2022	11365 W 75th St	F & J Paving Inc	P O Box 35026 Elmwood Park IL 60707	Right-of-Way \$33,381	
JRAL-22-094	04/28/2022	ROWs DuPage Locations	RS Services Systems, Inc.	38 Forestwood Dr. Romeoville IL 60446	Right-of-Way \$849	
JRAL-22-096	04/28/2022	412 Kirkwood Cove	Wilson Paving & Sealcoat Com	508 Oakwood Ave. Lemont IL 60439	Right-of-Way \$5,550	
JRAL-22-098	04/22/2022	18 Tartan Ridge Rd	Homeowner	Burr Ridge IL 60527	Residential Alteration \$14,250	190
JRDB-22-053	04/26/2022	382 Highland Ct	Tuff Shed	11039 Gage Av. Franklin Park IL 60131	Residential Detached Building \$18,097	
JRES-22-054	04/07/2022	2 Hillcrest Ct	Stucco & Beyond, Inc	1686 Ash Street Des Plaines IL 60018	Residential Miscellaneous	

05/16/2022

Permits Issued April 2022



Permit Number	Date Issued	Property Address	Applicant Name & Contact Info		Description
					Value & Sq Ftg
JRES-22-073	04/18/2022	8877 Madison	A Touch of Green	12720 W. 159th St. HOMER GLEN IL 60491	Residential Miscellaneous \$16,869
JRPE-22-057	04/06/2022	536 Conway Ct	Oakwood Electric & Generator	237 N. Cass Av Westmont IL 60559	Res Electrical Permit
JRPE-22-075	04/22/2022	7765 Forest Hill Rd	Sunrun Installation Services, In	1 Territorial Ct Bolingbrook IL 60440	Res Electrical Permit \$20,235
JRPE-22-107	04/29/2022	6923 Fieldstone Dr	Black Diamond Plumbing & El	1400 Miller Parkway Mchenry IL 60050	Res Electrical Permit
JRSF-21-430	04/08/2022	6061 Keller Dr	Oakley Home Builders	5216 Main St Downers Grove IL 60515	Residential New Single Family \$500,000 6,190
JRSF-22-046	04/19/2022	208 W 59th St	Brecc Construction Company	8818 Hillside DR Saint John IN 46373	Residential New Single Family \$1,500,000 6,073
TOTAL:	38				

05/16/22

Occupancy Certificates Issued April 2022



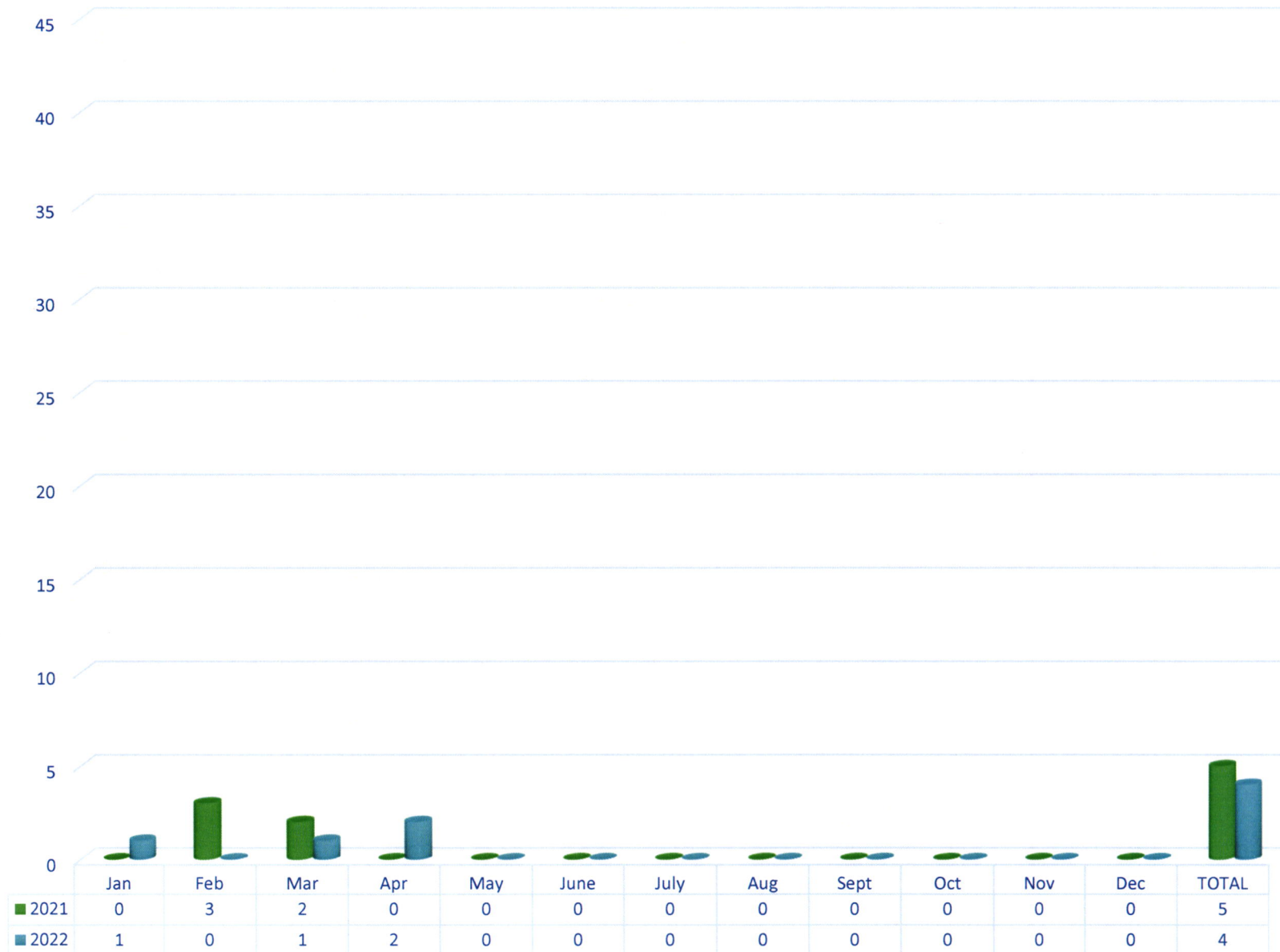
CO #	Certificate of Occupancy Date	Occupant of Record	Address
OF22010	04/12/22	Umberto & Eugenia Turano	7324 Lakeside Cir
OF22011	04/21/22	Yolk	595 Village Center Dr.

CONSTRUCTION VALUE OF BUILDING PERMITS - MONTHLY SURVEY 2022

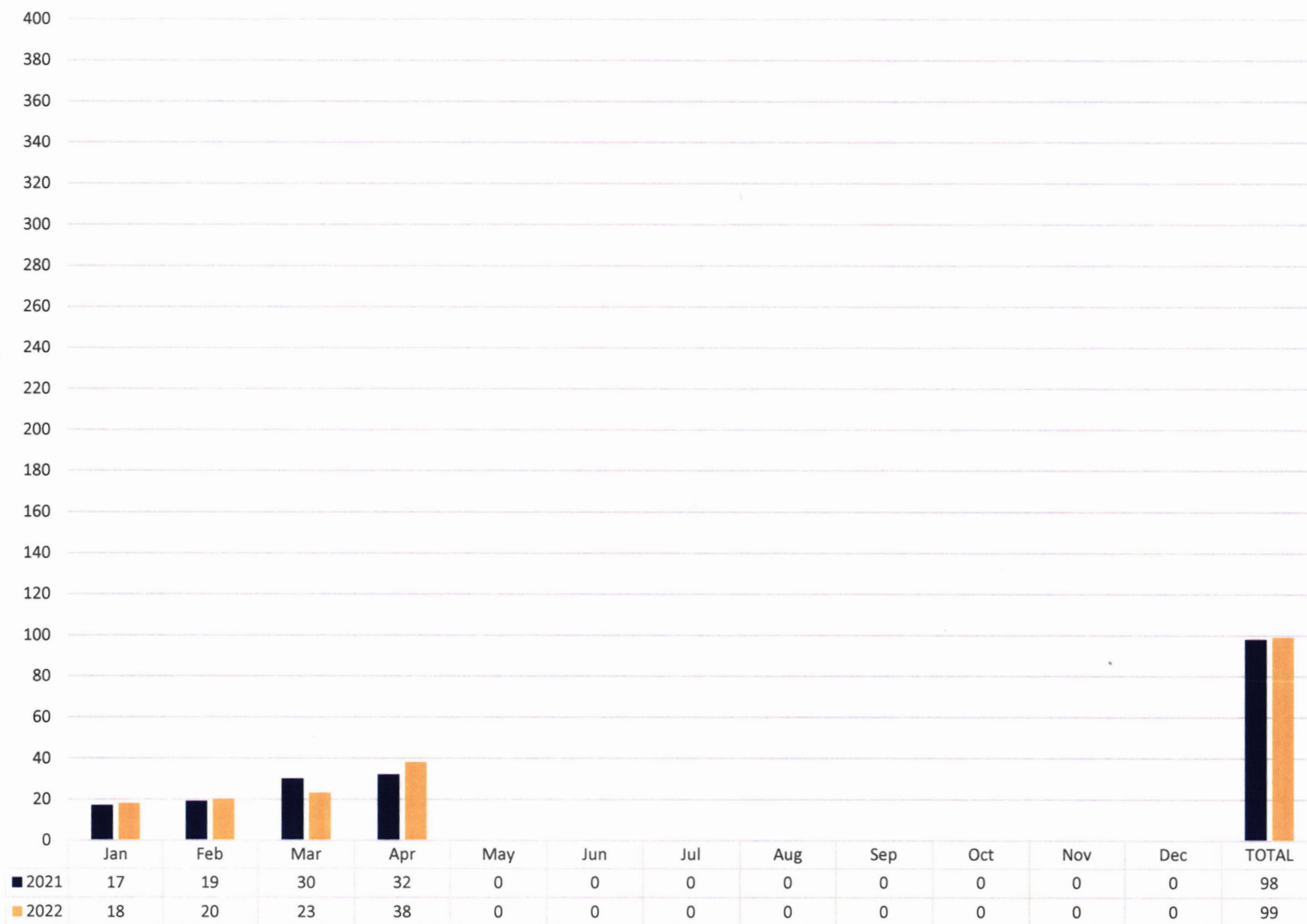
(Does not include miscellaneous Permits)

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		\$366,385		\$31,501	\$397,886
		[5]		[1]	
MARCH	\$600,000	\$672,000		\$5,978,425	\$7,250,425
	[1]	[6]		[4]	
APRIL	\$2,000,000	\$109,075		\$310,000	\$2,419,075
	[2]	[5]		[2]	
MAY					\$0
	[]	[]		[]	
JUNE					\$0
	[]	[]		[]	
JULY					\$0
	[]	[]		[]	
AUGUST					\$0
	[]	[]		[]	
SEPTEMBER					\$0
	[]	[]		[]	
OCTOBER					\$0
	[]	[]		[]	
NOVEMBER					\$0
	[]	[]		[]	
DECEMBER					\$0
	[]	[]		[]	
2022 TOTAL	\$3,207,950	\$1,318,260	\$0	\$6,808,701	\$11,334,911
	[4]	[19]	[]	[8]	

Village of Burr Ridge New Housing Permits 2021 Compared to 2022

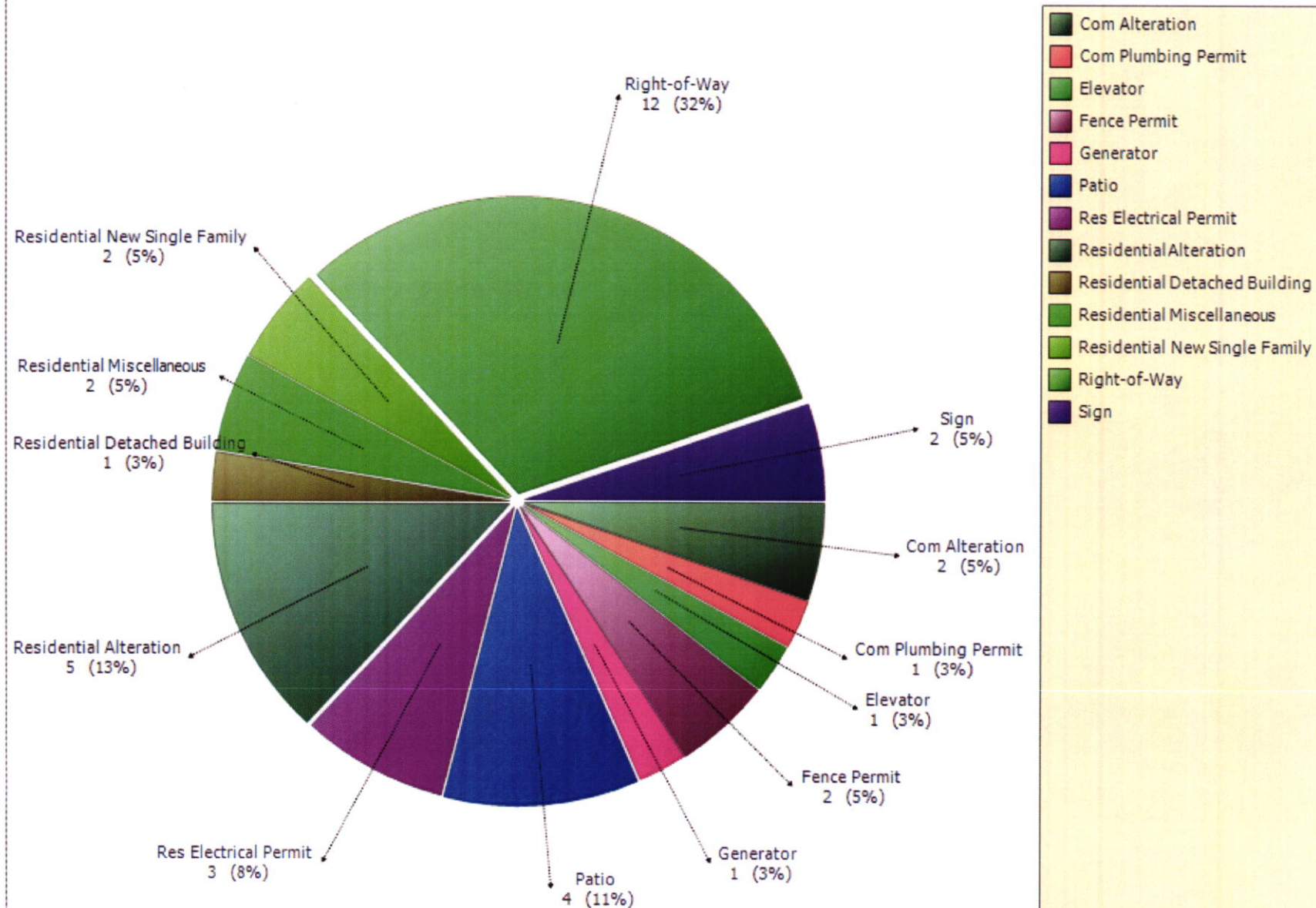


Village of Burr Ridge Building Permits Issued 2021 Compared to 2022



Breakdown of Permits by Project Type

Permits Issued April 2022





VILLAGE OF BURR RIDGE

MEMORANDUM

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

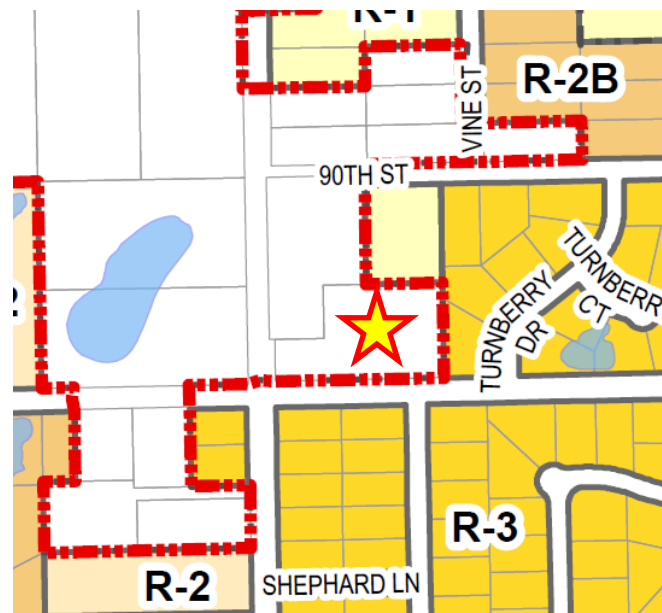
FROM: Janine Farrell, Community Development Director

DATE: June 6, 2022

RE: Extraterritorial Review of 10S381 Madison St., Rezoning and Plat of Subdivision

On April 4, 2022, the Plan Commission reviewed a proposal for a three-lot subdivision located in DuPage County on the northeast corner of Madison and 91st. Since the proposed subdivision met Burr Ridge's R-3 zoning district regulations (which is in the area) and Burr Ridge's Subdivision Ordinance regulations, the Commission did not object and only requested that they be advised if the plans changed. A formal letter with the Plan Commission comments was submitted on April 8, 2022 to the County (see Exhibit A). While the proposed subdivision lot layout has not changed, the petitioner has revised the requests to rezone from R-1 to R-2 and variations for lot area on Lot 1 and Lot 2. Staff contacted DuPage County for an explanation why the rezoning requests were changed and also checked DuPage County's website for minutes of the past meeting. As of the date of this report, staff has not received a response from DuPage County and minutes are not posted for the prior meeting. *The Commission may wish to submit updated comments on this change in zoning requests or may allow the April 8, 2022 letter to remain on file unchanged.*

- Lot 1 will measure 1.2515 acres/54,517 sq. ft., with 127.76' of lot width on Madison St. and 271.82' of lot width on 91st Street
- Lot 2 will measure 0.8050 acres/35,068 sq. ft. with 121' of lot width on 91st Street
- Lot 3 will measure 0.8051 acres/35,071 sq. ft. with 121' of lot width on 91st Street



Legal Authority for Review

According to the State of Illinois, the Village has legal authority to enforce its subdivision regulations beyond the Village boundaries (up to a distance of one and one-half miles outside the Village), whether or not the applicable County has also adopted a subdivision code or ordinance.

Where conflicts or inconsistencies arise between the subdivision code of a Village and the adjacent County, the Illinois Municipal Code provides that such conflicts are resolved by deferring to the most restrictive subdivision ordinance or code in place at the time of review. Therefore, if a municipality has adopted a comprehensive plan extending into those unincorporated areas within one-and-one-half-miles of the Village, the subdivision of such property is legally exempted from “the application of any less restrictive rules or regulations”. In summary, the property owner must comply with the most restrictive standards and requirements set forth by both the Village and the County.

Additionally, since the property is also seeking to be rezoned, the Village has the authority under the Illinois Municipal Code to file a written protest against the petition. The protest must be approved through a Resolution by the corporate authorities and filed with the County Clerk. If the County receives a written protest by the municipality, the rezoning requires a favorable vote of 3/4 of the County Board to be approved.

Evaluation

The Village’s Future Land Use Map within the Comprehensive Plan (as amended through 2007) designates this property as “single-family residential.” The proposed parcels also meet the recommended minimum 30,000 sq. ft. lot size. The proposal is in conformance with the Comprehensive Plan.

To the east and south of the property are the Turnberry and Space Valley Subdivisions, both zoned R-3 Single-family Residential within Village limits. To the north of the property is one unincorporated parcel and one parcel zoned R-1 Single-family Residential within Village limits. This R-1 property does not meet the minimum lot size requirement (only 1.59 acres when 5 acres is the minimum). The property would have been annexed into the Village with the R-1 designation and has not been changed since. To the west of the property is unincorporated DuPage County. The proposed R-2 zoning district within DuPage County requires a minimum lot size of 40,000 sq. ft. which is the same as the Village’s R-2A zoning district. There are R-2A parcels about 1,000 ft. to the east.

Since the proposed three-lot subdivision does not include any new streets (each parcel will have direct access to Madison St. or 91st St.) and there is no connection to Village utilities, application of the Village’s Subdivision Ordinance is minimal. From a cursory review of those requirements that would apply, such as minimum lot depth, the proposal complies. Staff, including the Village Engineer, did not find a provision of the Subdivision Ordinance regulations which were violated through this proposed subdivision.

Attachments

Exhibit A – April 8, 2022 letter to DuPage County

Exhibit B – Petition Materials from DuPage County



April 8, 2022

Jessica Infelise
DuPage County Building and Zoning Department
421 North County Farm Rd.
Wheaton, IL 60187

Via email to jessica.infelise@dupageco.org

Re: Zoning Petition ZONING-22-000011 Musa's Subdivision

Dear Ms. Infelise,

On April 4, 2022, the Village of Burr Ridge Plan Commission/Zoning Board of Appeals performed an extraterritorial review of the proposed rezoning and three-lot subdivision located at 10S381 Madison Street. The proposed subdivision appears to comply with the Village's Subdivision Ordinance regulations as shown in the Plat dated January 27, 2022. The proposed rezoning is consistent with the Village's R-3 zoning district which located to the south and east. Should the proposed subdivision be altered in configuration from that proposal or the requested zoning district change, the Village respectfully requests to be informed so a review can occur on the revised plans. The Village does not have additional comments on the proposed rezoning and three-lot subdivision at this time.

Should you have any questions, please do not hesitate to contact me directly at jfarrell@burr-ridge.gov or (630) 654-8181 x 6100.

Sincerely,

Janine Farrell, AICP
Community Development Director



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

EXHIBIT B

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

DU PAGE COUNTY ZONING BOARD OF APPEALS Zoning Petition ZONING-22-000011 Musa's Subdivision

Please review the information herein and return with your comments to:

Jessica Infelise, DuPage County Building and Zoning Department, 421 North County Farm Road, Wheaton, Illinois 60187; or via email at Jessica.Infelise@dupageco.org or via facsimile at 630-407-6702 by **June 8, 2022**.

COMMENT SECTION:	
: OUR OFFICE HAS NO JURISDICTION IN THIS MATTER	
: NO OBJECTION/CONCERNS WITH THE PETITION	
: NO OBJECTION/CONCERNS WITH THE CONCEPT OF THE PETITION.	
ADDITIONAL INFORMATION MAY BE REQUIRED AT TIME OF PERMIT APPLICATION	
: I OBJECT/ HAVE CONCERNS WITH THE PETITION.	
COMMENTS:	
SIGNATURE: _____ DATE: _____	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-22-000011 Musa's Subdivision
ZONING REQUEST	1. Rezoning from R-1 Single Family to R-2 Single family for three (3) proposed lots. 2. Variation to reduce the required lot size for 2 lots from 40,000 sq. ft. to approximately 36,000 sq. ft. for Lot 2 and 36,000 for Lot 3.
OWNER	GEORGE P. MUSA, 8200 FORESTVIEW DRIVE, ORLAND PARK, IL 60462
ADDRESS/LOCATION	10S381 MADISON STREET, BURR RIDGE, IL 60527
PIN	10-01-103-007
TWSP./CTY. BD. DIST.	Downers Grove District 3
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	2.86 acres (124,582 sq. ft.)
UTILITIES	Sewer and Well
PUBLICATION DATE	Daily Herald: May 25, 2022
PUBLIC HEARING	Thursday, June 9, 2022

PLEASE NOTE: FILING OF THIS FORM DOES NOT SUBSTITUTE FOR A FORMAL OBJECTION PURSUANT TO THE ILLINOIS STATE STATUTES.



**DUPAGE
COUNTY**

Building
Division

Zoning &
Planning Division

Environmental
Division

BUILDING & ZONING DEPARTMENT

630-407-6700
Fax: 630-407-6702

www.dupageco.org/building

**DU PAGE COUNTY ZONING BOARD OF APPEALS
JACK T. KNUEPFER ADMINISTRATION BUILDING
421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187/ 630-407-6700**

Zoning Petition ZONING-22-000011 Musa's Subdivision

The DuPage County Zoning Board of Appeals will conduct the following public hearing:

PUBLIC HEARING: 6:00 p.m. **THURSDAY, JUNE 9, 2022**, 2nd Floor Cafeteria, JACK T. KNUEPFER ADMINISTRATION BUILDING 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

PETITIONER: GEORGE P. MUSA, 8200 FORESTVIEW DRIVE, ORLAND PARK, IL 60462

REQUEST:

1. Rezoning from R-1 Single Family to R-2 Single family for three (3) proposed lots.
2. Variation to reduce the required lot size for 2 lots from 40,000 sq. ft. to approximately 36,000 sq. ft. for Lot 2 and 36,000 for Lot 3.

ADDRESS OR GENERAL LOCATION: 10S381 MADISON STREET, BURR RIDGE, IL 60527

LEGAL DESCRIPTION: LOT 2 IN ERICKSON MANOR SUBDIVISION OF THE WEST ½ OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 100.0 FEET AND EXCEPT THE NORTH 333.0 FEET OF T WEST 332.0 FEET AND EXCEPT THE SOUTH 162.0 FEET OF THE NORTH 495.0 FEET OF TH WEST 200 FEET THEREOF) ACCORDING TO THE PLAT THEREOF RECORDED JULY 26, 1978 AS DOCUMENT R78-68974, IN DUPAGE COUNTY, ILLINOIS.

**Respectfully Submitted,
ROBERT J. KARTHOLL, CHAIRMAN,
DUPAGE COUNTY ZONING BOARD OF APPEALS**

Notice of this hearing is being sent to property owners within 300 feet of the subject property and as one of them you are invited to attend the meeting and comment on the petition. A reduced scaled sketch or drawing of the petitioner's request is included for your review. If you have any questions or require a full-scale version of the site plan, please contact the Zoning Division at (630) 407-6700.

Please be advised that access to the 421 JACK T. KNUEPFER ADMINISTRATION BUILDING is limited to the main entrance located in the center on the east side of the building.



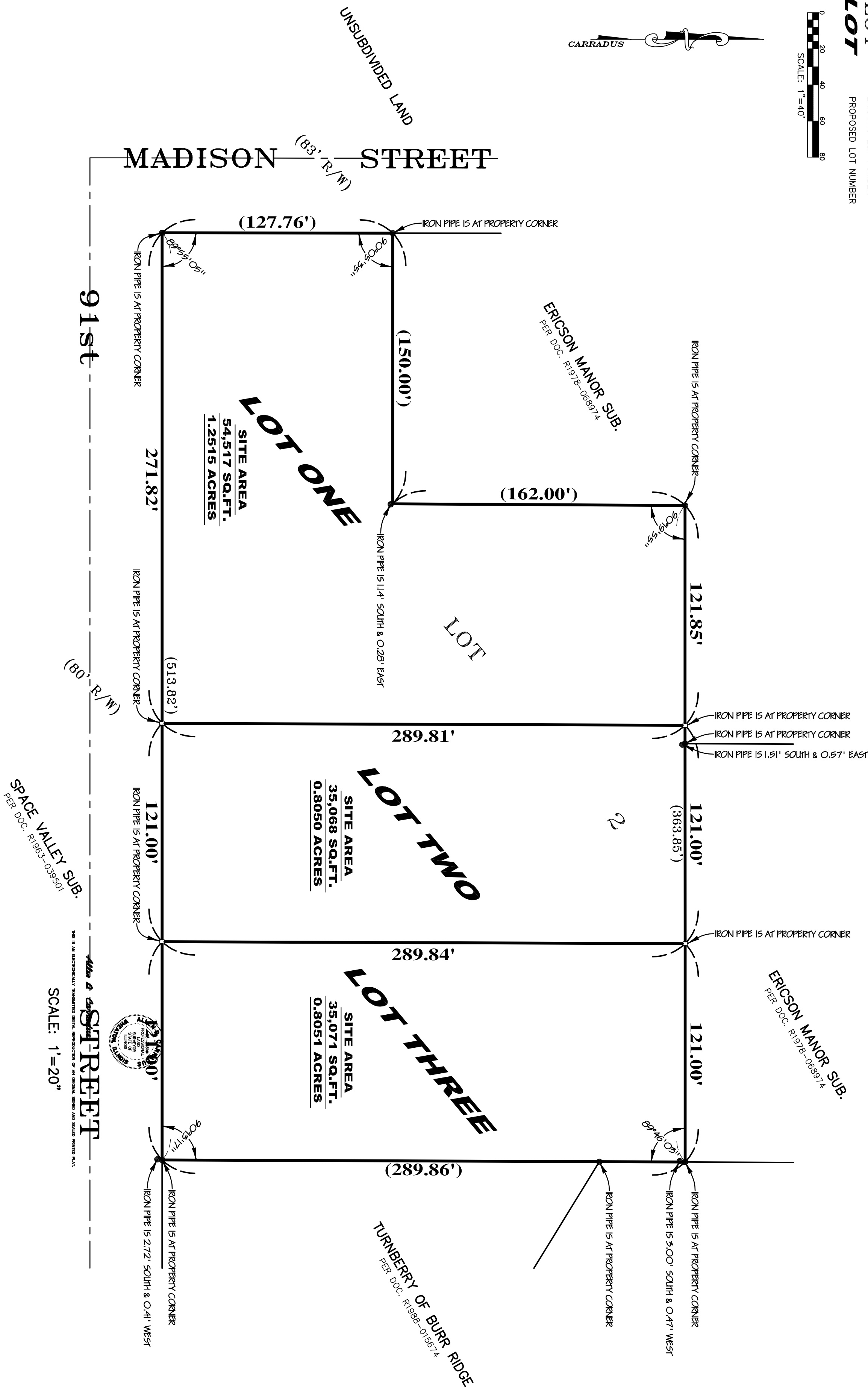
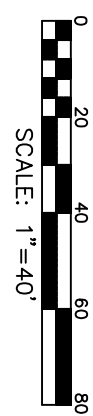
Environmental
Division

630-407-6700
Fax: 630-407-6702

[illegible]

LEGEND

- IRON MONUMENT FOUND
- IRON MONUMENT SET (P.L.S. 35-2551)
- CONCRETE MONUMENT
- (50.00') RECORD DIMENSION
- x — EASEMENT LINE
- (50.00') RECORD DIMENSION
- 100.00' PROPOSED LOT DIMENSION
- LOT EXISTING LOT NUMBER
- LOT PROPOSED LOT NUMBER



LOT 2 IN ERICKSON MANOR SUBDIVISION OF THE WEST HALF OF THE SOUTH HALF OF THE THIRD PRINCIPAL QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 100.0 FEET AND EXCEPT THE NORTH 333.0 FEET OF THE WEST 332.0 FEET AND EXCEPT THE SOUTH 162.0 FEET OF THE NORTH 495.0 FEET OF THE WEST 200 FEET THEREOF) ACCORDING TO THE PLAT THEREOF RECORDED JULY 26, 1978 AS DOCUMENT R78-68974, IN DU PAGE COUNTY, ILLINOIS.

MUSA'S SUBDIVISION

COUNTY HEALTH DEPARTMENT CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
I, _____, DIRECTOR OF THE COUNTY HEALTH DEPARTMENT, ILLINOIS, DO HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT COMPLES WITH ALL THE WATER AND SANITARY SEWAGE REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT.

DATED AT _____ A.D., 20____, ILLINOIS, THIS _____ DAY OF _____

DIRECTOR

CERTIFICATE OF COUNTY OF DUPAGE PLAT OFFICER

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
APPROVED THIS _____ OF _____ 20____

PLAT OFFICER, DUPAGE COUNTY

CERTIFICATE OF COUNTY DEPARTMENT OF BUILDING AND ZONING

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
I, _____, DIRECTOR FOR THE DUPAGE COUNTY DEPARTMENT OF BUILDING AND ZONING, DO HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT COMPLES WITH ALL THE REQUIREMENTS OF THE DUPAGE COUNTY DEPARTMENT OF BUILDING AND ZONING.
DATED AT WHEATON, DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____
BY: _____ DIRECTOR OR AUTHORIZED AGENT

CERTIFICATE OF COUNTY DEPARTMENT OF PUBLIC WORKS

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
I, _____, SUPERINTENDENT OF THE COUNTY OF DUPAGE PUBLIC WORKS, DO HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT COMPLES WITH ALL THE REQUIREMENTS OF THE COUNTY OF DUPAGE PUBLIC WORKS DEPARTMENT AND THE COUNTY'S WATER SUPPLY AND WASTWATER TREATMENT ORDINANCE.
DATED AT WHEATON, DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____
BY: _____ SUPERINTENDENT OR AUTHORIZED AGENT

CERTIFICATE OF INFORMATION TECHNOLOGY DEPARTMENT

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
APPROVED THIS _____ DAY OF _____ 20____
BY: _____ MANAGER OF GEOGRAPHIC INFORMATION SYSTEMS INFORMATION TECHNOLOGY DEPARTMENT

COUNTY DEPARTMENT OF PUBLIC WORKS CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
I, _____, SUPERINTENDENT FOR DU PAGE COUNTY DEPARTMENT OF PUBLIC WORKS, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT AND THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS THEREOF, MEET THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT OF DU PAGE COUNTY.
DATED AT _____ DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____
BY: _____ SUPERINTENDENT OR AUTHORIZED AGENT

RECORDER OF DEEDS CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
THIS INSTRUMENT NO. _____ WAS FILED FOR RECORD IN THE RECORDER OF DEEDS OFFICE OF DU PAGE COUNTY, ILLINOIS ON THE _____ DAY OF _____ O'CLOCK _____ M., 20____ A.D.

DU PAGE COUNTY RECORDER OF DEEDS

OWNER'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE ANNEXED PLAT AND THAT HE HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVDED, AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPRT THE SAME UNDER THE STYLE AND TITLE HEREON INDICATED.
I HEREBY DEDICATE FOR PUBLIC USE AND LANDS SHOWN ON THIS PLAT FOR THOROUGHFARES, STREETS, ALLEYS, AND PUBLIC SERVICES, AND I HEREBY ALSO RESERVE THESE AREAS DESIGNATED HEREON AS EASEMENTS FOR THE PURPOSES AS HERIN SET FORTH.

I ALSO CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS WITHIN THE BOUNDARIES OF COMMUNITY UNIT SCHOOL DISTRICT NO. _____

DATED THIS _____ DAY OF _____ A.D., _____

BY: _____ OWNER

NOTARY'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
I, _____, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED IN THE FOREGOING INSTRUMENT, AND THAT THEY HAVE PERSONALLY KNOWN TO ME AND KNOWN TO ME THAT THEY HAVE SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.
GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ A.D., _____

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551, HAVE PERSONALLY SURVEYED AND PLATTED THE FOLLOWING DESCRIBED PROPERTY:

LOT 2 IN ERICKSON MANOR SUBDIVISION OF THE WEST HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 100.0 FEET AND EXCEPT THE NORTH 333.0 FEET OF THE WEST 332.0 FEET AND EXCEPT THE SOUTH 162.0 FEET OF THE NORTH 495.0 FEET OF THE WEST 200 FEET THEREOF) ACCORDING TO THE PLAT THEREOF RECORDED JULY 26, 1978 AS DOCUMENT R78-68974, IN DU PAGE COUNTY, ILLINOIS.
I FURTHER CERTIFY THAT THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION, AND THAT THE MONUMENTS AND MARKERS WILL BE PLACED AS SHOWN HEREON UPON COMPLETION OF ALL EXCAVATION. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AND CORRECTED TO 68 DEGREES FAHRENHEIT, AND ANY BEARINGS SHOWN HEREON ARE FOR THE PURPOSES OF DESCRIPTION ONLY.

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE ALL REGULATIONS ENACTED BY THE VILLAGE BOARD RELATIVE TO PLATS AND SUBDIVISIONS HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT, AND THAT THIS PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF BURR RIDGE.
I FURTHER CERTIFY THAT NO PART OF THE ABOVE DESCRIBED PROPERTY IS SITUATED WITHIN 500 FEET OF A SURFACE DRAIN OR WATER COURSE SERVING A TRIBUTARY AREA OF 640 ACRES OR MORE.

I FURTHER CERTIFY THAT NO PART OF THE ABOVE PROPERTY IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 1704300281J EFFECTIVE DATE OF AUGUST 1, 2019, ZONE X.

DATED AT WHEATON, ILLINOIS, THIS 27th DAY OF January, A.D., 2022.

Allen D. Carradus
ALLEN D. CARRADUS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551
MY LICENSE EXPIRES NOVEMBER 30, 2022

- NOTES
- All distances shown herein are in feet and decimal parts thereof corrected to 68° F.
 - Distances shown along curved lines are Arc Measurements unless otherwise noted.
 - Compare the Legal Description, Building Lines, and Easements as shown herein with your Deed, Title Insurance Policy or Title Commitment.
 - Consult local authorities for additional setbacks and restrictions not shown herein.
 - Consult utility companies and municipalities prior to the start of any construction.
 - Dimensions to and along buildings are exterior foundation measurements.
 - Do Not Assume distances from scaled measurements made herein.

VILLAGE BOARD CERTIFICATE
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
VILLAGE PRESIDENT
VILLAGE CLERK
VILLAGE COLLECTOR

VILLAGE COLLECTOR'S CERTIFICATE
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
COLLECTOR FOR THE VILLAGE OF BURR RIDGE, ILLINOIS, DO HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE PLAN HEREON DRAWN, DATED AT BURR RIDGE, ILLINOIS, THIS _____ DAY OF _____ A.D., 20____.

DEPARTMENT OF COMMUNITY DEVELOPMENT CERTIFICATE
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT, VILLAGE OF BURR RIDGE, DU PAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____ A.D., 20____.

COMMUNITY DEVELOPMENT DIRECTOR

COUNTY CLERK CERTIFICATE
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
COUNTY CLERK OF DU PAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT I FIND NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORECLOSED TAXES, NO DELINQUENT OR UNPAID SPECIAL ASSESSMENTS, NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND SHOWN ON THIS PLAT.
GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____ 20____.

COUNTY CLERK, DU PAGE COUNTY, ILLINOIS

CERTIFICATE OF COUNTY DEPARTMENT STORMWATER MANAGEMENT
STATE OF ILLINOIS } SS
COUNTY OF DU PAGE }
DIRECTOR FOR THE DUPAGE COUNTY DEPARTMENT OF STORMWATER MANAGEMENT, DO HEREBY CERTIFY THAT THIS PLAT AND THE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS THEREOF, COMPLES WITH ALL THE REQUIREMENTS OF THE DUPAGE COUNTY DEPARTMENT OF STORMWATER MANAGEMENT.
DATED AT WHEATON, DUPAGE COUNTY, ILLINOIS THIS _____ DAY OF _____ 20____.

DIRECTOR OR AUTHORIZED AGENT

PREPARED FOR:
GEORGE MUSA
16555 OAK PARK AVENUE
TINLEY PARK, IL 60477
(708) 949-4553

PLAT SUBMITTED FOR RECORDING BY:
VILLAGE OF BURR RIDGE
7660 S. COUNTY LINE ROAD
BURR RIDGE, ILLINOIS 60527

MAIL TO:
ALLEN D. CARRADUS
191 S. GARY AVENUE SUITE 180
CAROL STREAM, ILLINOIS 60188
(630) 588-0416
(FAX) 653-7682

Plot No. 10	Scale 1" = 40'	Drawn By EAC	Check By EAC	Field Work 12/09/21	Drawn By EAC
Date 01/27/22	Revised 48/00	Revised 48/00	Revised 48/00	Revised 48/00	Revised 48/00
Revised For GEORGE MUSA					
Prepared By CARRADUS LAND SURVEY, INC.					
100 Bridge Street, Suite 1, Wheaton, Illinois 60187 (630) 588-0416 (FAX) 653-7682					
Sheet 1 of 1 36276					