



**REGULAR MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
JUNE 5, 2023 - 7:00 PM  
VILLAGE HALL - BOARD ROOM**

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

**I. ROLL CALL**

**II. APPROVAL OF MAY 15, 2023 MEETING MINUTES**

**III. PUBLIC HEARINGS**

- A. Z-05-2023: 1400 Burr Ridge Parkway/Portions of Outlots A, C, and D of Lakeside Pointe Subdivision/PINs 18-30-303-016-0000, 18-30-101-048-0000, 18-30-101-045-0000, and 18-30-101-047-0000 (McNaughton Development LLC); PUD Amendment, Special Use, Variations, Preliminary Plan approval, and Findings of Fact [CONTINUED FROM APRIL 17, MAY 1, and MAY 15, 2023]**

***REQUEST BY PETITIONER TO CONTINUE UNTIL JUNE 19, 2023***

Requests to (1) amend Planned Unit Development Ordinances A-834-21-17 and A-834-20-16, (2) for variations to permit a planned unit development on less than 20 acres and less than 800 ft. of lot width per Zoning Ordinance sections VI.H and XIII.H, (3) a special use for a Planned Unit Development pursuant to Zoning Ordinance sections VI.H and XIII.L, (4) preliminary plan approval of the PUD in accordance with Zoning Ordinance section XIII.L.2, and (5) variations from Subdivision Ordinance sections VII.D and (6) VIII.I for minimum street right-of-way width from 60 ft. to 28 ft. and to permit sidewalks on one side of the street instead of both, pursuant to Subdivision Ordinance section III.C. The petitioner is proposing a 15-unit townhome development called The Villas of Lakeside Pointe.

- B. Z-06-2023: Zoning Ordinance Amendments for Swimming Pool Fences (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM MAY 1, 2023]**

Request to consider text amendments to Section IV of the Zoning Ordinance to amend regulations to include the Building Ordinance requirement for a perimeter fence for a swimming pool.

- C. Z-02-2023: 60 Shore Drive (Naddaf – Coda Motors); Special Use Amendment, Special Use, and Findings of Fact [REMANDED FROM BOARD OF TRUSTEES MAY 22, 2023]**

***REQUEST BY PETITIONER TO CONTINUE UNTIL JULY 17, 2023***

Requests to amend Ordinance #A-834-02-19, a special use for automobile sales, to expand the existing special use from 7,400 sq. ft. to 10,100 sq. ft., and an additional special use for outdoor, overnight storage of retail vehicles ancillary to a special use in accordance with Zoning Ordinance

section X.F.

#### IV. CORRESPONDENCE

- A. **Board Report**  
May 22, 2023
- B. **Building Report**  
April 2023

#### V. OTHER CONSIDERATIONS

##### A. **PC-05-2023: 15W730 90<sup>th</sup> Street/PINs 10-01-101-010/10-01-101-011 (Malinin); Extraterritorial Review of Variations**

Review of a DuPage County request for four variations on two lots. Lot 1: variations to reduce the required lot width from the required 165' to approximately 145.3' and lot size from the required 100,000 sq. ft. to approximately 34,635 sq. ft. Lot 2: variations to reduce the required lot width from the required 165' to 145.3' and to reduce the required lot size from required 100,000 sq. ft. to approximately 34,632 sq. ft. The petitioner seeks to reconfigure two existing parcels.

#### VI. PUBLIC COMMENT

#### VII. FUTURE MEETINGS

*Note: On February 13, 2023, the Board directed the Plan Commission to hold a public hearing on text amendments to the Zoning Ordinance regarding mobile storage units. This potential text amendment was part of the 2022 annual zoning review. After a review of Municipal Code Section 38, Article VII, it was determined that the mobile storage units would fall under this provision and a text amendment to the Zoning Ordinance is no longer necessary.*

##### **June 12 Village Board CANCELLED**

##### **June 19 Plan Commission**

- A. Z-05-2023: 1400 Burr Ridge Parkway/Portions of Outlots A, C, and D of Lakeside Pointe Subdivision/PINs 18-30-303-016-0000, 18-30-101-048-0000, 18-30-101-045-0000, and 18-30-101-047-0000 (McNaughton Development LLC); PUD Amendment, Special Use, Variations, Preliminary Plan approval, and Findings of Fact [CONTINUED FROM APRIL 17, MAY 1, MAY 15, JUNE 5, 2023]

##### **June 26 Village Board**

Commissioner Petrich is the scheduled representative.

##### **July 3 Plan Commission (no meeting was scheduled due to holiday)**

##### **July 10 Village Board**

Chairman Trzupek is the scheduled representative.

**July 17 Plan Commission**

- A. Z-02-2023: 60 Shore Drive (Naddaf – Coda Motors); Special Use Amendment, Special Use, and Findings of Fact [REMANDED FROM BOARD OF TRUSTEES MAY 22, 2023]
- B. Z-07-2023 Short-term Rental Text Amendment (*anticipated*)
- C. Z-08-2023 Unrelated Persons Text Amendment (*anticipated*)

**July 24 Village Board**

Commissioner Parrella is the scheduled representative.

**VIII. ADJOURNMENT**

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF MAY 15, 2023**

**I. ROLL CALL**

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:01 p.m. at the Burr Ridge Village Hall Board Room, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

**ROLL CALL** was noted as follows:

**PRESENT:** 8 – Irwin, McCollian, Parrella, Petrich, Broline, Stratis, Morton, and Trzupek

**ABSENT:** 0 – None

Community Development Director Janine Farrell was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES – MAY 1, 2023**

A **MOTION** was made by Commissioner Parrella and **SECONDED** by Commissioner McCollian to approve the minutes of the May 1, 2023 meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 8 – Parrella, McCollian, Irwin, Petrich, Broline, Stratis, Morton, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 8-0.

**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.

**A. Z-05-2023: 1400 Burr Ridge Parkway/Portions of Outlots A, C, and D of Lakeside Pointe Subdivision/PINs 18-30-303-016-0000, 18-30-101-048-0000, 18-30-101-045-0000, and 18-30-101-047-0000 (McNaughton Development LLC); PUD Amendment, Special Use, Variations, Preliminary Plan approval, and Findings of Fact [CONTINUED FROM APRIL 17 & MAY 1, 2023]**

Chairman Trzupek introduced the case. Director Farrell stated that the case was continued on April 17<sup>th</sup> and May 1<sup>st</sup> agendas due to questions about the ownership of the outlots on Lakeside Pointe. The Village's legal counsel spoke with the petitioner's legal counsel. The petitioner is a Class B member per the Declaration, and Class A members are owners of the individual lots. All of the individual lots have been sold. For McNaughton to convey a

portion of outlots to the Villas corner parcel and to combine the two subdivisions under one HOA, the Declaration must be amended which requires 50% of the Lakeside Pointe owners to approve the amendment. Director Farrell showed the aerial image of the site. Both properties are zoned R-5 and within PUDs, the prior Weekly Homes proposal and the current Lakeside Pointe development. The site is in the Burr Ridge Corporate Park and within their Declaration, parcels along the Frontage Rd. must be 3 acres for them to be developed. McNaughton seeks to combine a portion of the Lakeside Pointe outlots with the Villas parcel to meet that requirement. Both the Weekly Homes and Lakeside Pointe PUDs must be amended. Director Farrell noted the variation, special use, and Preliminary Plan requests. The Preliminary Plan noted variations from the Zoning and Subdivision Ordinances, contained a market analysis, and density information. There are five blocks of three units with stormwater detention in the corner and connected to Lakeside Pointe's detention. Director Farrell noted the variations from the Subdivision and Zoning Ordinances requested. The density is 4.19 units per acre, 4.7 units per acre net density without the road included. Floorplans and elevations were provided in the packet. For the landscape plan, the petitioner is proposing to plant trees on the southern property line and a portion on the Marriott's property, so a condition requiring an easement has been added. The petitioner provided Findings of Fact for the Commission to adopt if they are in agreement. Director Farrell reviewed the suggested conditions, including a condition that the amended and approved Declaration should be provided along with the Final Plan, 60-days after Board approval.

The petitioner, John Barry of McNaughton Development, stated that the property is located on the corner of Burr Ridge Pkwy and Bridewell Dr., measures 5.38 acres, is zoned R-5, and the adjacent land uses are Lakeside Pointe, Marriott, mixed-office building, and I-55 to the north. This is a private residential development with the HOA maintaining detention and the street. There is now a preference to not include the development in the Lakeside Pointe Subdivision. Existing pathway connections will be maintained, the water main, sanitary sewer connections, and storm sewer will pass through Lakeside Pointe with the ultimate connection to the lake to the south. The existing landscape material on the corner and the buffer on Lakeside will remain and will be supplemented. An easement will be provided on the Marriott property for landscaping. There will be 15-units around a cul-de-sac. The building materials will be masonry, SmartSide siding, and architectural grade asphalt shingles. Each unit will have a two car garage and unfinished basements. Mr. Barry presented floorplans. A fiscal impact study was provided and showed net real estate values over first 20 years at 3.7 million to the taxing districts. The Village Center has changed since it was built. The density is appropriate for the site, this is a good product that meets the demand and has a positive impact on the Village Center, functions well, poses no undue burden on the community or neighbors, is not detrimental to neighboring property values, and is a complementary use on the site.

Chairman Trzupek stated that the Commission is aware of the ownership issues to the east. The Village has permission from the Village Attorney to hold a public hearing and direction that the Declaration must be amended for the property to the east. The Commission is aware of McNaughton's performance issues concerning what has not been

done in Lakeside Pointe, and that there were comments made about stormwater. The Commissioners are not engineers and the plans will have to be reviewed by the Village Engineer. Chairman Trzupek requested comments be kept to the plan itself.

Chairman Trzupek asked for public comment.

Dawn Kluchenek, 7238 Lakeside Circle, had previously submitted a letter to staff. Ms. Kluchenek was concerned about who would be responsible to maintain the portion of the outlot conveyed to the Villas since there will be two HOAs. Ms. Kluchenek was concerned about the stormwater capacity and infrastructure of Lakeside Pointe and if it was adequate to take on the additional burden.

Chairman Trzupek stated that the two HOAs was new, questioned if the Lakeside Pointe PUD had to be amended, and noted that the Village Engineer commented on the stormwater.

George Spindler, lot 44 in Lakeside Pointe, stated that the new conditions specify that the petitioner will amend the Declaration of Lakeside Pointe but the petitioner is McNaughton Development LLC; the party to the Lakeside Pointe Declaration is McNaughton Development INC. The petitioner cannot amend the Declaration. Mr. Spindler stated that the outlot parcel should not be counted as part of the proposal and that this is only to meet the 3 acre requirement, which distorts the density calculation. Mr. Spindler stated that the articles of the Declaration require only 22 signatures, not votes.

Chairman Trzupek confirmed that the outlot is only to gain acreage and is not clear what roles INC or LLC play with amending the Declaration.

Mike Glynn, lot 19 in Lakeside Pointe, asked what gives McNaughton the right to claim ownership of the outlots. Chairman Trzupek reiterated that amending the Declaration is required as a condition. Mr. Glynn stated that the proposal does not meet any requirements such as street design, setbacks, and density. Mr. Glynn suggested that the development should be reduced by 4-units since it does not meet any requirements.

Roy Pikus, 7296 Lakeside Circle, stated that the stand-alone HOA for the Villas raises questions about liabilities for stormwater on the Lakeside Pointe property and asked how this would work.

Chairman Trzupek responded that he expected easements and agreements to be created between the two entities.

Roy Pikus asked why Lakeside Pointe has to accept the responsibility of downstream water.

Mark Thoma, 7515 Drew, was disappointed in the amount of variances requested. Mr. Thoma stated that Burr Ridge Parkway is the gateway to the Village Center and it is not appealing to have backsides of homes and yards facing Burr Ridge Parkway.

There was no additional public comment. Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton stated that it was wise to have two separate HOAs, that the architecture was monotonous, and the plan is to maximize density. Side-loaded garages and different details would be preferred. Commissioner Morton asked about drainage. John Barry confirmed that downspouts and gutters will be pulled away 10 ft. from home into swales and there should not be standing water. Commissioner Morton stated that the density for the 2.77 acres is 5.41 units per acre which exceeds R-5 significantly and the outlot is key to bring the density down. Commissioner Morton does not see age and marketability as a compelling reason to approve or not approve. Commissioner Morton expressed concern about the road width and the turn radius of the fire truck, which seems to not be able to accommodate on street parking.

Commissioner Stratis asked for history of outlot C and why it was kept out. John Barry stated that outlot C encompasses a larger area including the lake. Commissioner Stratis did not see a reason to take Lakeside Pointe out of compliance by re-drawing lot lines. Commissioner Stratis stated that using the outlots subverts the density calculations and homes could potentially be lost if the outlot was not used. Commissioner Stratis stated that there are too many requests for deviations from the code. John Barry stated that the 28 ft. width road was approved for Lakeside Pointe. Commissioner Stratis asked about snow plowing. Mr. Barry stated that snow would be plowed to the cul-de-sac or on the private road towards Burr Ridge Parkway. Commissioner Stratis objected to the decks overhanging the setback. Director Farrell confirmed deck setback requirements were not the same as the principal residence. Commissioner Stratis asked why the bridge and remaining work is lingering. Mr. Barry stated it is the MWRD approval and the lead time to fabricate the bridge. Permits have been received and installation of the abutments will occur in the upcoming weeks. The bridge will be installed at end of October. Commissioner Stratis asked if there was any sense if 22 yes votes will be received and what's the strategy. John Barry stated that the project is conditioned upon their approval and would like to get Plan Commission recommendation first. Commissioner Stratis was concerned that the entitlement is granted and approval from the neighbors is not received, so McNaughton builds anyway and says, "sue us." Jim Olguin, attorney for McNaughton Development, stated that it is hard to ask for approval for a project when they do not know what it will end up looking like. For the HOAs, the overall assessments will be less and the costs can shift to the new HOA. There would be a master agreement between the two HOAs regarding the shared areas and easements. The Declarations should not be amended if there is no development. Commissioner Stratis supported the use, the architecture, but preferred 12 homes versus 15 which would eliminate a number of variances from code.

Chairman Trzupsek asked about the 3-acre requirement. Director Farrell confirmed that this is part of the Covenant for the business park. John Barry stated that it was a condition of the annexation agreement. Director Farrell stated that this language was a first amendment to the Declaration and does not know what the language states in the annexation agreement. Jim Olguin stated that the Village and everyone in the Corporate Park would have to amend that Declaration and this is a reason why the property has sat vacant since additional land has to be added.

Commissioner Broline asked about the history of why the corner lot was not included in Lakeside Pointe. John Barry stated that there was a different owner of the corner lot and they could not agree on the price. Commissioner Broline stated that smaller units could reduce the number of setbacks. Mr. Barry stated that it would make it less marketable. Commissioner Broline struggles with allowing variations in one place and not permitting them in another. Mr. Barry stated that this is a unique property.

Commissioner Petrich agreed with the previous comments made and that townhomes are a good idea, but the number and degree of variations is too many. Commissioner Petrich preferred a different layout and less homes and that there are a lot of unknowns regarding stormwater.

Commissioner Parrella agreed with previous comments made and was concerned about life/safety and emergency vehicle access, snow plowing, and limited guest parking. Commissioner Parrella supported the use of townhomes with master bedrooms on the first floor, but the aesthetics were too uniform and did not support all front facing garages. Commissioner Parrella supported reducing the development to 10-12 units.

Commissioner McCollan had no issue with the use, but there is too little guest parking, the exterior is monotonous, and it is too dense.

Commissioner Irwin stated that there was no evidence that the petitioner met the Findings of Fact for the variation requests. Commissioner Irwin stated that there is no hardship, no evidence that the property cannot yield a reasonable return, has not seen anything unique to this property, the request is based primarily on financial gain, it will be detrimental to property values, and that the whole area is commercial. Commissioner Irwin stated that the use is not appropriate for the lot and should be a commercial use. In the Comprehensive Plan, the nature of the development does not fit with the requirements of wooded and unique residential uses, and that office use is the preferred use in the Corporate Park.

John Barry and Jim Olguin confirmed that the property is zoned residential, that I-55 is to the north which is not tranquil and poses a hardship for the residential use. Commercial use would be more impactful than residential use to the neighbors. The Village Center has struggled to get tenants and more people are needed in the downtown.



Commissioner Irwin stated that there could be an appropriate commercial use, that these homes will not save the Village Center, and did not support looking at the backs of homes along Burr Ridge Parkway.

Chairman Trzupek supported the use and stated that there is no suburban office or commercial coming to this lot. Chairman Trzupek did not support the backs of homes facing Burr Ridge Parkway and that the variations are due to too much density, but removing units does not change the development. Chairman Trzupek agreed with the comments about front load garages, the architectural monotony, and that it is too dense.

John Barry requested that they be continued until June 5 and take back the feedback they received.

Commissioner Irwin asked what the basis was that commercial would not work on the property. Chairman Trzupek stated that there are vacancies in the Village Center and the TCF property would develop first.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner McCollian to continue Z-05-2023 to June 5, 2023.

**ROLL CALL VOTE** was as follows:

**AYES:** 8 – Morton, McCollian, Irwin, Parrella, Petrich, Broline, Stratis, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 8-0.

#### **IV. CORRESPONDENCE**

There was no discussion on the Board Report.

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

There were no other considerations.

#### **VI. PUBLIC COMMENT**

Mark Thoma, 7515 Drew, stated that for the previous petition, McNaughton's acquisition of land seemed abusive and manipulated the codes. Mr. Thoma asked to see something changed in the codes.

Commissioner Stratis and Chairman Trzupek expressed concern about the strip of land from the outlots and about the conditions requiring amendment of the Declaration.

## **VII. FUTURE MEETINGS**

Director Farrell noted that the denials of Z-02-2023 and PC-04-2023 are on the May 22<sup>nd</sup> Board agenda. Director Farrell stated that Pella has since changed their plans, so the proposal may be remanded back to the Commission for reconsideration.

Director Farrell noted that on June 5th, the continuation of Z-05-2023 and Z-06-2023 will be on the Plan Commission agenda. Commissioners Stratis and Irwin will likely not be able to attend the June 5<sup>th</sup> meeting.

Commissioner Irwin asked the Commission if they wished to explore amending the regulations for detached garage door height, increasing it from 9 ft. to 10 ft. The Commissioners and staff discussed the Zoning Ordinance amendment from a few years ago where attached garage door height was increased, permitting one door, up to 10 ft. in height.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to request Board of Trustees direction to hold a public hearing on amending the regulations for detached garage door height, increasing it from 9 ft. to 10 ft.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, Petrich, McCollian, Parrella, Broline, Morton, and Trzupek  
**NAYS:** 0 – None  
**ABSTAIN:** 1 – Irwin

**MOTION CARRIED** by a vote of 7-0 with one abstention.

## **VIII. ADJOURNMENT**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to adjourn the meeting at 8:29 p.m.

**ROLL CALL VOTE** was as follows:

**AYES:** 8 - Irwin, Petrich, Parrella, McCollian, Broline, Stratis, Morton, and Trzupek  
**NAYS:** 0 - None

**MOTION CARRIED** by a vote of 8-0

**Respectfully Submitted:** \_\_\_\_\_

Plan Commission/Zoning Board Minutes  
May 15, 2023 Regular Meeting

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Janine Farrell, AICP  
Community Development Director



**Z-06-2023: Request to consider text amendments to Section IV of the Zoning Ordinance to amend regulations to include the Building Ordinance requirement for a perimeter fence for a swimming pool.**

**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:** May 1 and June 5, 2023

On February 13, 2023, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments regarding fences for swimming pools. This was part of the annual zoning review from 2022. The Plan Commission first held a public hearing at the May 1, 2023 meeting.

***Current Regulations:***

Under current Zoning Ordinance regulations, section IV contains the regulations for accessory uses including fences and pools. There is no explicit mention of a fence or barrier requirement for a pool in this section. The current requirement for a fence around a swimming pool is within the Building Ordinance. Village of Burr Ridge Building Ordinance Section 702.27 adopted Appendix G of the 2012 International Residential Code (IRC). It is within that code that a “barrier” (a fence, wall, building wall or combination thereof) is required. The barrier regulations from the 2012 IRC are included as Exhibit A. Section IV.J of the Zoning Ordinance references this code by stating, “Fences for Swimming Pools - As regulated in the other codes and ordinances of the Village.” Section IV.I of the Zoning Ordinance details the setbacks and location of the pool and does not mention a fence requirement.

***Conflicting Regulations:***

Village of Burr Ridge Building Ordinance Section 715 adopted the 2012 International Swimming Pool and Spa (ISPS) Code. Section 305 of that code details the barrier requirements for pools which are very similar to the barrier requirements in Appendix G of the 2012 IRC. There is one noted exception – the barrier requirement does not apply to swimming pools with a powered safety cover that complies with ASTM F1346. While IRC Appendix G requires a barrier, the ISPS does not. It is important to note that the Building Ordinance will likely be updated in the upcoming year to eliminate this conflict. At the May 1 meeting, the Commission requested additional information about powered safety covers. While the ASTM F1346 standard is available for purchase, many powered safety cover companies have basic information about what is included in these standards. Four of the qualifications include: a cover should be able to support 485 lbs. of weight, the cover must prevent small objects from being entered between the cover and pool, the cover prohibits a dangerous amount of water from collecting on the surface, and the cover must have a label with warnings. Information about pool safety barriers has been included as an attachment.

After the May 1 meeting, staff consulted with the Village's architectural plan reviewer and inspector to clarify a provision in Appendix G. It was confirmed that for an above ground pool that measures at least 48" in height, no barrier would be required since the pool itself can be used to satisfy the "barrier" requirement.

With these Building Ordinance conflicts noted, if the Commission desires to require a fence surrounding a pool, then this regulation must be within the Zoning Ordinance.

### **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
  - Application
  - Findings of Fact
  - Section AG105 of Appendix G of the 2012 International Residential Code
  - Existing Zoning Ordinance Language pertaining to pools and fences
  - U.S. Consumer Product Safety Commission Safety Barrier Guidelines for Residential Pools
  - Pool and Hot Tub Alliance information about protection
- Exhibit B – Proposed Language for Zoning Ordinance Section IV



# 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 of the Zoning Ordinance to require a fence enclosure for swimming pools. The fencing requirement is currently codified under the Building Ordinance.

### 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.

Petitioner's Signature

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;

Section IV of the Zoning Ordinance details accessory uses such as swimming pools and fences. Within these regulations, a reference is made to the Building Code requirement for a fence for a swimming pool. Since the fence regulations (height, transparency, material) are within the Zoning Ordinance, a cross-reference to the Building Code requirement would create clarity for residents.

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

The Zoning Ordinance section IV.J. states that fences for swimming pools are "as regulated in the other codes and ordinances of the Village." Building Code section 702.27 adopts Appendix G of the International Residential Code which details the fencing requirement for swimming pools. Amending the Zoning Ordinance language will allow for greater clarity to residents instead of simply referring to another Ordinance regulation.

(Please transcribe or attach additional pages as necessary)

## 2012 International Residential Code (IRC) Appendix G

<https://codes.iccsafe.org/content/IRC2012/appendix-g-swimming-pools-spas-and-hot-tubs>

### SECTION AG105 BARRIER REQUIREMENTS

#### AG105.1 Application.

The provisions of this appendix shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

#### AG105.2 Outdoor swimming pool.

An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa, shall be surrounded by a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above *grade* measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow the passage of a 4-inch-diameter (102 mm) sphere.
3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions, except for normal construction tolerances and tooled masonry joints.
4. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
5. Where the barrier is composed of horizontal and vertical members, and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed  $1\frac{3}{4}$  inches (44 mm) in width.
6. Maximum mesh size for chain link fences shall be a  $2\frac{1}{4}$ -inch (57 mm) square, unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than  $1\frac{3}{4}$  inches (44 mm).
7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than  $1\frac{3}{4}$  inches (44 mm).
8. Access gates shall comply with the requirements of Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and have a self-latching device. Gates, other than pedestrian access gates, shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - 8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate; and
  - 8.2. The gate and barrier shall have no opening larger than  $\frac{1}{2}$  inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.
9. Where a wall of a *dwelling* serves as part of the barrier, one of the following conditions shall be met:
  - 9.1. The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346;
  - 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or
  - 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are *approved* by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described herein.
10. Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:
  - 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or
  - 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

#### AG105.3 Indoor swimming pool.

Walls surrounding an indoor swimming pool shall comply with Item 9 of Section AG105.2.

#### AG105.4 Prohibited locations.

Barriers shall be located to prohibit permanent structures, *equipment* or similar objects from being used to climb them.

#### AG105.5 Barrier exceptions.

Spas or hot tubs with a safety cover which comply with ASTM F 1346 shall be exempt from the provisions of this appendix.



## **BUILDING ORDINANCE:**

The current requirement for a fence around a swimming pool is within the Building Ordinance. Village of Burr Ridge Building Ordinance Section 702.27 adopted Appendix G of the 2012 International Residential Code. It is within that code that a barrier (fence, wall, or combination) is required. <https://codes.iccsafe.org/content/IRC2012/appendix-g-swimming-pools-spas-and-hot-tubs>

## **CURRENT ZONING ORDINANCE RELATED LANGUAGE, SECTION IV:**

### **I. PERMITTED ACCESSORY BUILDINGS, STRUCTURES AND USES - LOCATION & REGULATION**

#### **28. Ponds (Private)**

Ponds (private) and related features with water depths greater than 2 feet may be located in the rear buildable area and are permitted in the required rear yard, but not closer than 10 feet to the rear lot line. Ponds are subject to issuance of a grading permit by the Village and shall meet the regulations for Swimming Pools (Private) including the requirement for a perimeter fences as adopted by the Village of Burr Ridge Building Ordinance. Related equipment shelters may encroach into the required rear yard but not closer than 10 ft. to the rear lot line.

#### **33. Swimming Pools (Private)**

Swimming pools (private) may be located in a rear buildable area and are also permitted in the required rear yard, but not closer than 10 feet to the rear lot line.

### **J. FENCES**

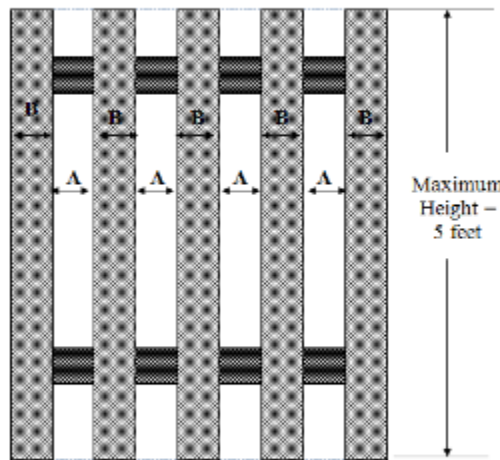
Fences are permitted and may be obstructions in yards (for purposes of this Section the term "yards" shall not be limited to the required yards set forth in this Zoning Ordinance but also shall include all unobstructed open areas on a lot) or courts as regulated herein.

#### **1. Fences, Open -- in residence districts only**

1. Fences in residential districts shall be not more than five feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
2. Such fences shall be permitted, unless otherwise provided herein, along the rear lot line and along the side lot lines extending no further toward the front of the lot than the rear wall of the principal building on the lot. Except, however, on corner lots such fences shall extend not nearer to the corner side lot line than the required corner side yard setback. (Amended by Ordinance A-834-13-11)
3. All fence posts and all supports must face the interior of the property on which it is located.

4. Chain link, solid, barbed wire and fences which are electrically charged to produce a shock when touched are specifically prohibited.
5. All fences in residential districts shall be open fences as defined by Section XIV and as depicted below (Amended by Ordinances A-834-09-01 and A-834-13-11). Open fences are defined as a fence, including gates, which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence.

**Figure IV.J.1.e Graphic Definition of Open Fence**



**“A” must be equal to or greater than “B”**

2. Fences -- in non-residence districts

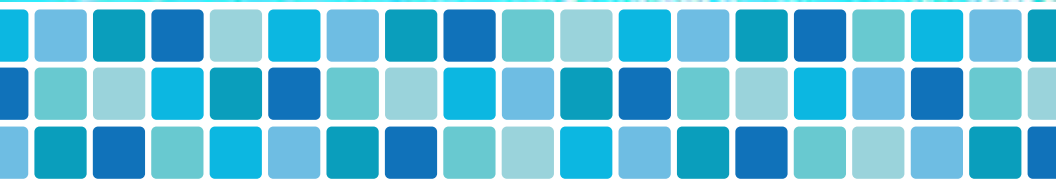
Fences in non-residential districts, unless specifically required by other provisions of this Ordinance, may only be provided if they comply with the following provisions:

1. Fences in non-residential districts, unless otherwise required by this Ordinance, shall be considered special uses and shall be subject to compliance with Section XIII.K of this Ordinance except as modified herein.
2. The standards for consideration of a special use pertaining to a non-residential fence shall be limited to the standards referenced as b, c, d, and h in Section XIII.K.7 of this Ordinance and reiterated as follows:
  1. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.

2. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.
  3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
  4. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.
3. The location, height, design, and type of fence shall comply with the standards for residential fences contained in Section IV.J.1 above, except as may be specifically authorized by conditions for approval of the special use.

### 3. Fences for Swimming Pools

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



# Safety Barrier Guidelines for Residential Pools

**Preventing Child Drownings**

U.S. Consumer Product  
Safety Commission





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CPSC is charged with protecting the public from unreasonable risks of injury or death associated with the use of the thousands of consumer products under the agency's jurisdiction.

Many communities have enacted safety regulations for barriers at residential swimming pools—in ground and above ground. In addition to following these laws, parents who own pools can take their own precautions to reduce the chances of their youngsters accessing the family or neighbors' pools or spas without supervision. This booklet provides tips for creating and maintaining effective barriers to pools and spas.



Each year, thousands of American families suffer swimming pool tragedies—drownings and near-drownings of young children. The majority of deaths and injuries in pools and spas involve young children ages 1 to 3 and occur in residential settings. These tragedies are preventable.

This U.S. Consumer Product Safety Commission (CPSC) booklet offers guidelines for pool barriers that can help prevent most submersion incidents involving young children. This handbook is designed for use by owners, purchasers, and builders of residential pools, spas, and hot tubs.

The swimming pool barrier guidelines are not a CPSC standard, nor are they mandatory requirements. CPSC believes that the safety features recommended in this booklet will help make pools safer, promote pool safety awareness, and save lives. Barriers are not the sole method to prevent pool drowning of young children and cannot replace adult supervision.

Some states and localities have incorporated these guidelines into their building codes. Check with your local authorities to see what is required in your area's building code or in other regulations.



## Swimming Pool Barrier Guidelines

Many of the nearly 300 children under 5 who drown each year in backyard pools could be saved if homeowners completely fenced in pools and installed self-closing and self-latching devices on gates.

Anyone who has cared for a toddler knows how fast young children can move. Toddlers are inquisitive and impulsive and lack a realistic sense of danger. These behaviors make swimming pools particularly hazardous for households with young children.

CPSC reports that child drownings are the second leading cause of accidental death around the home for children under 5 years of age. In some southern or warm weather states, drowning is the leading cause of accidental death in the home for children under 5.

CPSC staff has reviewed a great deal of data on drownings and child behavior, as well as information on pool and pool barrier construction. The staff concluded that the best way to reduce child drownings in residential pools is for pool owners to construct and maintain barriers that will help to prevent young children from gaining access to pools and spas.

The guidelines provide information for pool and spa owners to use to prevent children from entering the pool area unaccompanied by a supervising adult. They take into consideration the variety of barriers (fences) available and where each might be vulnerable to a child wanting to get on the other side.

The swimming pool barrier guidelines are presented with illustrated descriptions of pool barriers. The definition of pool includes spas and hot tubs. The swimming pool barrier guidelines therefore apply to these structures as well as to above ground pools, and may include larger portable pools.

## ***Pool and Spa Submersions: Estimated Injuries and Reported Fatalities\****

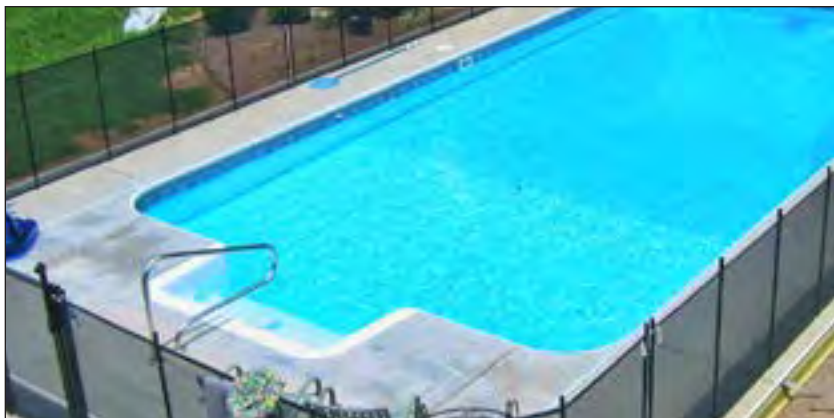
CPSC publishes an annual report on submersion incidents. Key findings from the 2012 report include:

- Nearly 300 children younger than 5 drown in swimming pools and spas each year representing 75 percent of the 390 fatalities reported for children younger than 15.
- Children aged 1 to 3 years (12 months through 47 months) represented 67 percent of the reported fatalities and 66 percent of reported injuries in pools and spas.
- Over 4,100 children younger than 5 suffer submersion injuries and require emergency room treatment; about half are seriously injured and are admitted to the hospital for further treatment.
- The majority of drownings and submersion injuries involving victims younger than 5 occur in pools owned by the family, friends or relatives.
- The majority of estimated emergency department-treated submersion injuries and reported fatalities were associated with pools.
- Portable pools accounted for 10 percent of the total fatalities (annual average of 40) for children younger than 15.

*\*The report presents average annual estimates for emergency department-treated injuries for 2009 through 2011 and average annual estimates for fatal submersions for 2007 through 2009, as reported to CPSC staff. The years for reported injury and fatality statistics differ due to a lag in fatality reporting.*







## Barriers

Barriers are not child proof, but they provide layers of protection for a child when there is a lapse in adult supervision. Barriers give parents additional time to find a child before the unexpected can occur.

Barriers include a fence or wall, door alarms for the house, and a power safety cover over the pool. Use the following recommendations as a guide.

### Barrier Locations

Barriers should be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.

### Fences

A fence completely surrounding the pool is better than one with the house serving as the fourth side. Fences should be a minimum of 4 feet high, although fences 5 feet or higher are preferable.

If the home serves as one side of the barrier install **door alarms** on all doors leading to the pool area. Make sure the doors have self-closing and self-latching devices or locks beyond the reach of children to prevent them from opening the door and gaining access to the pool.

**Pool covers** add another layer of protection and there are a wide variety of styles on the market. Keep pool covers well-maintained and make sure the control devices are kept out of the reach of children.

A successful pool barrier prevents a child from getting **OVER**, **UNDER**, or **THROUGH** and keeps the child from gaining access to the pool except when supervising adults are present.

### How To Prevent a Child from Getting OVER a Pool Barrier

A young child can get over a pool barrier if the barrier is too low or if the barrier has handholds or footholds to use when climbing. The top of a pool barrier should be at least 48 inches above grade, measured on the side of the barrier which faces away from the swimming pool. Some states, counties or municipalities require pool barriers of 60 inches.

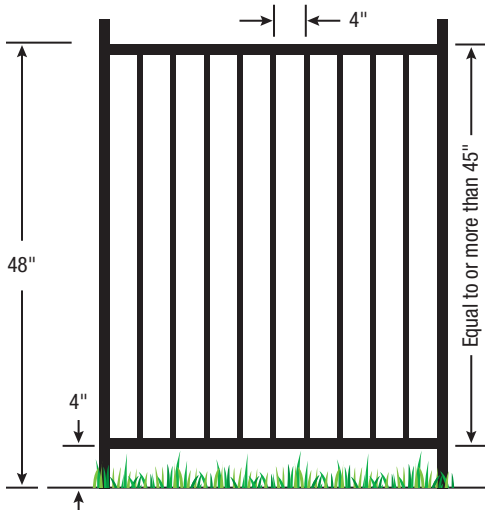


Figure 1

Eliminate handholds and footholds and minimize the size of openings in a barrier's construction.

### For a Solid Barrier

No indentations or protrusions should be present, other than normal construction tolerances and masonry joints.

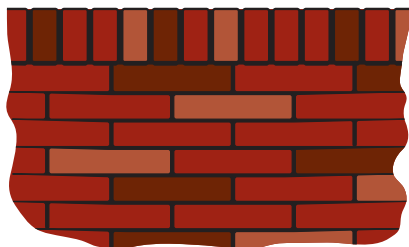


Figure 2

## For a Barrier (Fence) Made Up of Horizontal and Vertical Members

If the distance between the top side of the horizontal members is less than 45 inches, the horizontal members should be on the swimming pool side of the fence.

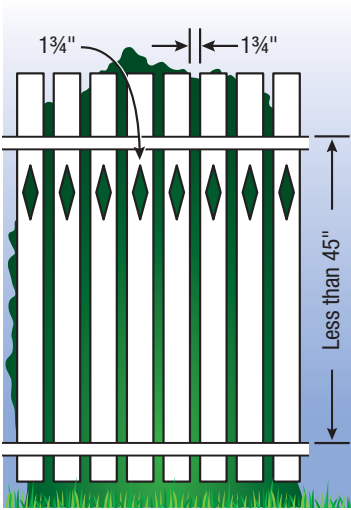


Figure 3

The spacing between vertical members and within decorative cutouts should not exceed 1 3/4 inches. This size is based on the foot width of a young child and is intended to reduce the potential for a child to gain a foothold and attempt to climb the fence.

If the distance between the tops of the horizontal members is more than 45 inches, the horizontal members can be on the side of the fence facing away from the pool. The spacing between vertical members should not exceed 4 inches. This size is based on the head breadth and chest depth of a young child and is intended to prevent a child from passing through an opening. If there are any decorative cutouts in the fence, the space within the cutouts should not exceed 1 3/4 inches.

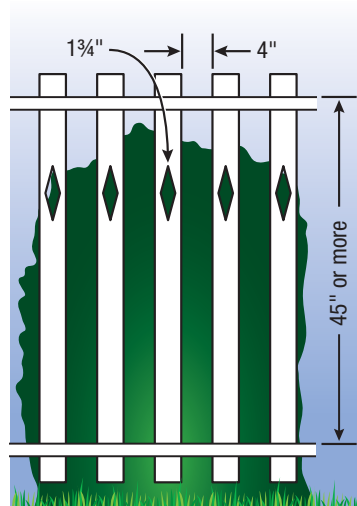


Figure 4

## For a Chain Link Fence

The mesh size should not exceed  $1\frac{1}{4}$  inches square unless slats, fastened at the top or bottom of the fence, are used to reduce mesh openings to no more than  $1\frac{3}{4}$  inches.

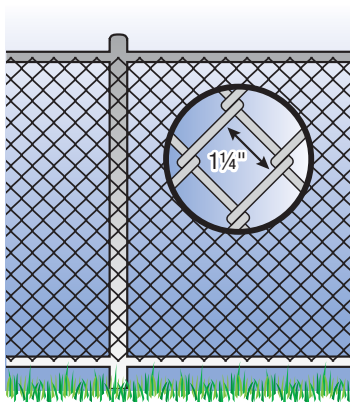


Figure 5

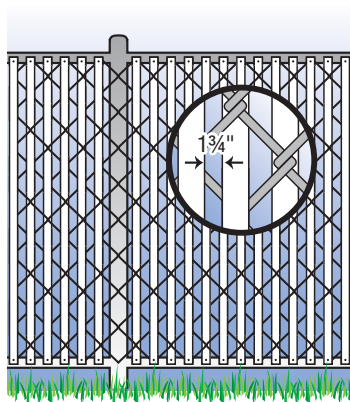


Figure 6

## For a Fence Made Up of Diagonal Members or Latticework

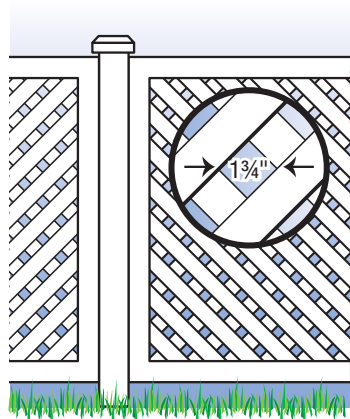


Figure 7

The maximum opening in the lattice should not exceed  $1\frac{3}{4}$  inches.

## For Above Ground Pools

Above ground pools should have barriers. The pool structure itself serves as a barrier or a barrier is mounted on top of the pool structure.

There are two possible ways to prevent young children from climbing up into an above ground pool. The steps or ladder can be designed to be secured, locked or removed to prevent access, or the steps or ladder can be surrounded by a barrier such as those described in these guidelines

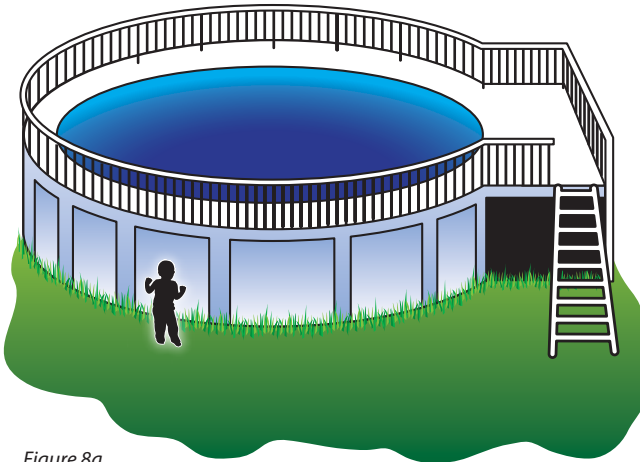


Figure 8a



Figure 8b



Figure 8c

## Above Ground Pool with Barrier on Top of Pool

If an above ground pool has a barrier on the top of the pool, the maximum vertical clearance between the top of the pool and the bottom of the barrier should not exceed 4 inches.

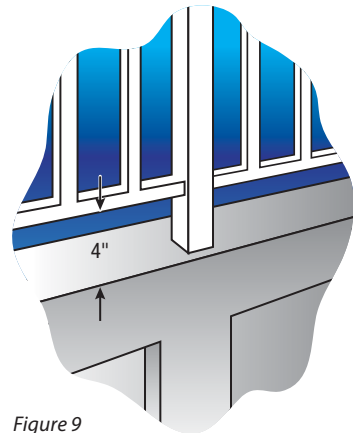


Figure 9

## How to Prevent a Child from Getting UNDER a Pool Barrier

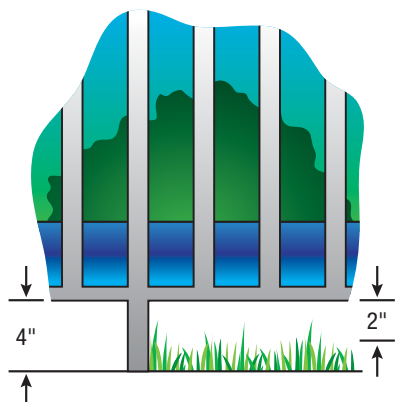


Figure 10

For any pool barrier, the maximum clearance at the bottom of the barrier should not exceed 4 inches above the surface or ground when the measurement is done on the side of the barrier facing away from the pool. Industry recommends that if the bottom of the gate or fence rests on a non-solid surface like grass or gravel, that measurement should not exceed 2 inches.

## How to Prevent a Child from Getting THROUGH a Pool Barrier

Preventing a child from getting through a pool barrier can be done by restricting the sizes of openings in a barrier and by using self-closing and self-latching gates.

To prevent a young child from getting through a fence or other barrier, all openings should be small enough so that a 4-inch diameter sphere cannot pass through. This size is based on the head breadth and chest depth of a young child.

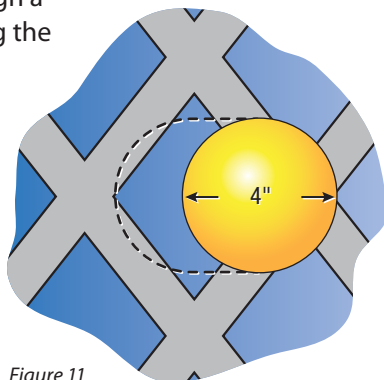


Figure 11

## Portable Pools

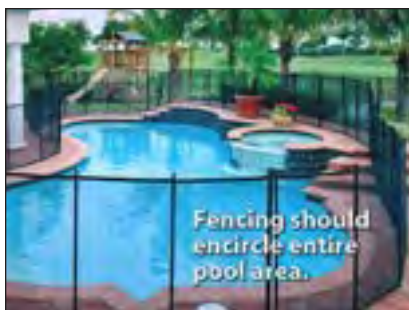


Portable pools are becoming more popular. They vary in size and height, from tiny blow-up pools to larger thousands-of-gallons designs. Portable pools present a real danger to young children.

Never leave children unsupervised around portable pools. It is recommended that portable pools be fenced, covered or emptied and stored away. Instruct neighbors, friends and caregivers about their presence and the potential dangers of a portable pool in your yard.

## Removable Mesh Fences

Mesh fences are specifically made for swimming pools or other small bodies of water. Although mesh fences are meant to be removable, the safest mesh pool fences are locked into the deck so that they cannot be removed without the extensive use of tools.



Like other pool fences, mesh fences should be a minimum of 48" in height. The distance between vertical support poles and the attached mesh, along with other manufactured factors, should be designed to hinder a child's ability to climb the fence. The removable vertical support posts should extend a minimum of 3 inches below grade and they should be spaced no greater than 40 inches apart. The bottom of the mesh barrier should not be more than 1 inch above the deck or installed surface.

*For more information on Removable Mesh Fencing see ASTM standard F 2286 – 05.*

## Gates

There are two kinds of gates which might be found on a residential property: pedestrian gates and vehicle or other types of gates. Both can play a part in the design of a swimming pool barrier. All gates should be designed with a locking device.



### Pedestrian Gates

These are the gates people walk through. Swimming pool barriers should be equipped with a gate or gates which restrict access to the pool.

Gates should open out from the pool and should be self-closing and self-latching. If a gate is properly designed and not completely latched, a young child pushing on the gate in order to enter the pool area will at least close the gate and may actually engage the latch.

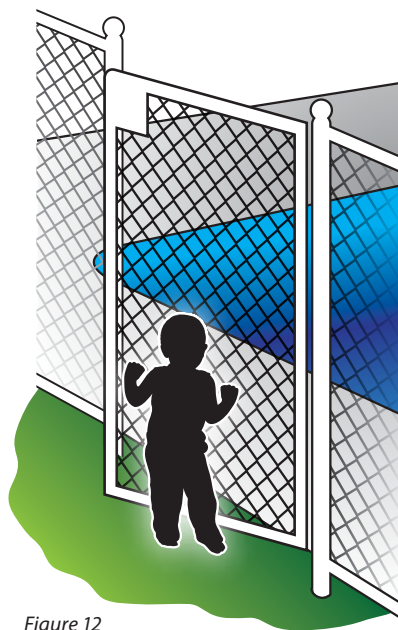


Figure 12



The weak link in the strongest and highest fence is a gate that fails to close and latch completely. For a gate to close completely every time, it must be in proper working order.

When the release mechanism of the self-latching device on the gate is less than 54 inches from the bottom of the gate, the release mechanism for the gate should be at least 3 inches below the top of the gate on the side facing the pool. Placing the release mechanism at this height prevents a young child from reaching over the top of a gate and releasing the latch.

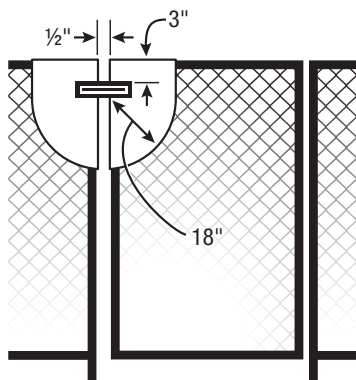


Figure 13

Also, the gate and barrier should have no opening greater than 1/2 inch within 18 inches of the latch release mechanism. This prevents a young child from reaching through the gate and releasing the latch.

### All Other Gates (Vehicle Entrances, Etc.)

Other gates should be equipped with self-latching devices. The self-latching devices should be installed as described for pedestrian gates.



## When the House Forms Part of the Pool Barrier

In many homes, doors open directly from the house onto the pool area or onto a patio leading to the pool. In such cases, the side of the house leading to the pool is an important part of the pool barrier. Passage through any door from the house to the pool should be controlled by security measures.

The importance of controlling a young child's movement from the house to pool is demonstrated by the statistics obtained in CPSC's submersion reports. Residential locations dominate in incidents involving children younger than 5 accounting for 85% of fatalities and 54 percent of injuries (from *CPSC's 2012 Pool and Spa Submersion Report*, see page 3).



Figure 14

### Door Alarms

All doors that allow access to a swimming pool should be equipped with an audible alarm which sounds when the door and/or screen are opened. Alarms should meet the requirements of *UL 2017 General-Purpose Signaling Devices and Systems, Section 77* with the following features:

- Sound lasting for 30 seconds or more within 7 seconds after the door is opened.
- The alarm should be loud: at least 85 dBA (decibels) when measured 10 feet away from the alarm mechanism.
- The alarm sound should be distinct from other sounds in the house, such as the telephone, doorbell and smoke alarm.
- The alarm should have an automatic reset feature to temporarily deactivate the alarm for up to 15 seconds to allow adults to pass through house doors without setting off the alarm. The deactivation switch could be a touchpad (keypad) or a manual switch, and should be located at least 54 inches above the threshold and out of the reach of children.

Self-closing doors with self-latching devices could be used in conjunction with door alarms to safeguard doors which give access to a swimming pool.

## Pet or Doggy Doors

Never have a pet or doggy door if the door leads directly to a pool or other backyard water. An isolation barrier or fence is the best defense when pet doors are installed. Remember, pet door openings, often overlooked by adults, provide curious children with an outlet to backyard adventure. Locking these doors is not sufficient and could lead to accidents and tragedies. Children regularly drown in backyard pools, which they were able to access through pet doors. Some municipalities have building codes that prohibit doggy doors in homes with pools unless there is an isolation fence around the pool.

## Power Safety Covers

Power safety covers can be installed on pools to serve as security barriers, especially when the house serves as the fourth wall or side of a barrier. Power safety covers should conform to the specifications in the *ASTM F 1346-91 standard*, which specifies safety performance requirements for pool covers to protect young children from drowning.



Figure 15

## Indoor Pools

When a pool is located completely within a house, the walls that surround the pool should be equipped to serve as pool safety barriers. Measures recommended for using door alarms, pool alarms and covers where a house wall serves as part of a safety barrier also apply for all the walls surrounding an indoor pool.

# Barriers for Residential Swimming Pool, Spas, and Hot Tubs

The preceding explanations of CPSC's pool barrier guidelines were provided to make it easier for pool owners, purchasers, builders, technicians, and others to understand and apply the guidelines to their particular properties or situations. Reading the following guidelines in conjunction with the diagrams or figures previously provided may be helpful. For further information, consult your local building department or code authority.

## Outdoor Swimming Pools

All outdoor swimming pools, including inground, above ground, or onground pools, hot tubs, or spas, should have a barrier which complies with the following:

1. The **top of the barrier** should be at least 48 inches above the surface measured on the side of the barrier which faces away from the swimming pool (figure 1).
2. The maximum **vertical clearance between the surface and the bottom of the barrier** should be 4 inches measured on the side of the barrier which faces away from the swimming pool. In the case of a non-solid surface, grass or pebbles, the distance should be reduced to 2 inches, and 1 inch for removable mesh fences (figures 1 and 10).
3. Where the top of the **pool structure is above grade or surface**, such as an above ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier should be 4 inches (figure 9).
4. **Openings in the barrier** should not allow passage of a 4-inch diameter sphere (figure 11).
5. **Solid barriers**, which do not have openings, such as a masonry or stone wall, should not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints (figure 2).
6. Where the barrier is composed of **horizontal and vertical members** and the distance between the bottom and top horizontal members is less than 45 inches, the horizontal members should be located on the swimming pool side of the fence (figure 3).
7. **Spacing between vertical members** should not exceed 1¾ inches in width. Where there are decorative cutouts, spacing within the cutouts should not exceed 1¾ inches in width (figure 4).
8. **Maximum mesh size for chain link fences** should not exceed 1¼ inch square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to no more than 1¾ inches (figures 5 and 6).
9. Where the barrier is composed of **diagonal members**, such as a lattice fence, the maximum opening formed by the diagonal members should be no more than 1¾ inches (figure 7).
10. **Access gates** to the pool should be equipped with a locking device. Pedestrian access gates should open outward, away from the pool, and should be self-closing and have a self-latching device (figure 12). Gates other than pedestrian access

- gates should have a self-latching device. Where the release mechanism of the **self-latching device** is located less than 54 inches from the bottom of the gate,
- (a) the release mechanism should be located on the pool side of the gate at least 3 inches below the top of the gate and
  - (b) the gate and barrier should have no opening greater than ½ inch within 18 inches of the release mechanism (figure 13).
11. Where a **wall of a dwelling** serves as part of the barrier, one of the following should apply:
- (a) **All doors with direct access to the pool** through that wall should be equipped with an **alarm** which produces an audible warning when the door and its screen, if present, are opened. Alarms should meet the requirements of *UL 2017 General-Purpose Signaling Devices and Systems, Section 77*. For more details on alarms, see page 13.
  - (b) The pool should be equipped with a **power safety cover** which complies with ASTM F1346-91 listed below.
  - (c) Other means of protection, such as **self-closing doors with self-latching devices**, are acceptable so long as the degree of protection afforded is not less than the protection afforded by (a) or (b) described above.
12. Where an **above ground pool structure is used as a barrier** or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps (figure 8a), then
- (a) **the ladder** to the pool or steps should be capable of being secured, locked or removed to prevent access (figure 8b), or
  - (b) **the ladder or steps should be surrounded by a barrier** (figure 8c). When the ladder or steps are secured, locked, or removed, any opening created should not allow the passage of a 4 inch diameter sphere.

## For more information on

### Fencing:

- **ASTM F 1908-08** *Standard Guide for Fences for Residential Outdoor Swimming Pools, Hot Tubs, and Spas*: <http://www.astm.org/Standards/F1908.htm>
- **ASTM F 2286-05** *Standard Design and Performance Specifications for Removable Mesh Fencing for Swimming Pools, Hot Tubs, and Spas*: <http://www.astm.org/Standards/F2286.htm>

### Covers:

- **ASTM F 1346-91** *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*: <http://www.astm.org/Standards/F1346.htm>

*Note: ASTM Standards are available for a fee. You may want to contact a pool contractor.*

### And:

- **ASTM Standards**, contact ASTM online at: <http://www.astm.org/CONTACT/index.html>
- **UL** (Underwriters Laboratories) Relevant Pool and Spa Standards <http://www.ul.com/global/eng/pages/>, look for Life Safety and Security Product



CPSC's **Pool Safely: Simple Steps Save Lives** campaign provides advice and tips on drowning and entrapment prevention. Installing barriers is just one of the *Pool Safely* Simple Steps for keeping children safe around all pools and spas. Here are others:

## **Rule # 1: Never leave a child unattended around a pool, spa, bath tub, or any body of water.**

### **At pools, spas, and other recreational waters:**

- Teach children basic water safety skills.
- Learn how to swim and ensure your children know how to swim as well.
- Avoid entrapment by keeping children away from pool drains, pipes, and other openings.
- Have a phone close by at all times when visiting a pool or spa.
- If a child is missing, look for them in the pool or spa first, including neighbors' pools or spas.
- Share safety instructions with family, friends, babysitters, and neighbors.

### **If you have a pool:**

- Install a 4-foot fence around the perimeter of the pool and spa, including portable pools.
- Use self-closing and self-latching gates; ask neighbors to do the same if they have pools or spas.
- If your house serves as the fourth side of a fence around a pool, install and use a door or pool alarm and/or a pool or spa cover.
- Maintain pool and spa covers in good working order.
- Ensure any pool or spa you use has anti-entrapment safety drain covers; ask your pool service representative if you do not know.\*
- Have life saving equipment such as life rings, floats or a reaching pole available and easily accessible.

*\*The Virginia Graeme Baker Pool & Spa Safety Act, a federal law, requires all public pools and spas to have anti-entrapment drain covers and other devices, where needed. Residential pools are not required to install these but it is recommended that they do so.*

Visit **[www.PoolSafely.gov](http://www.PoolSafely.gov)** for more information. See CPSC's latest submersion reports: *Submersions Related to Non-pool and Non-spa Products, 2012* and *Pool and Spa Submersion Report, 2012*.

U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

**Twitter:** @poolsafely

[www.PoolSafely.gov](http://www.PoolSafely.gov)

**Email:** [poolsafely@cpsc.gov](mailto:poolsafely@cpsc.gov)





# The **first** layer of protection is **Constant Adult Supervision.**

The Pool & Hot Tub Alliance (PHTA) believes that the home pool, spa, or hot tub provides a healthy, relaxing recreational opportunity for families in their own backyard. PHTA has worked with nationally recognized safety groups to provide information to assist pool, spa, and hot tub owners in meeting their safety needs.

While the number of pools, spas, and hot tubs grows significantly each year, child drownings have been declining. Nevertheless, parents should be aware that any body of water poses a risk, especially for children under five years of age. A well-motivated toddler will eventually overcome a fence, barrier, or alarm when left unsupervised.

*Parents should know that **adult supervision is the first and best way to prevent accidents. They should maintain constant visual contact with children whenever they are near, or can get near, any body of water. Unfortunately, most accidents occur when there is a lapse in supervision, even for a short time.***

Recognizing this, PHTA supports the concept of “Layers of Protection” for pools, spas, and hot tubs—an idea that is widely embraced by safety experts. “Layers of Protection” means that, in addition to supervision, the pool, spa, or hot tub is equipped with several devices to delay a child’s unsupervised access, or warn of the child’s presence.

These layers should be aimed at protecting the area between the house and pool, since studies show that children are most at risk in their own backyard, when parents believe they are safely inside the house.

Primary barriers are devices that keep a child away from a pool, spa, or hot tub; for example, barriers that completely surround a pool, or a locking automatic safety cover. Owners should always check and comply with state and local codes and ordinances requiring fences or other barriers.



*Watch your children at all times.*

Other devices should always be used in combination with at least one primary barrier. PHTA suggests that all pools, spas, and hot tubs should be protected.

For aboveground pools always make sure to remove the ladder whenever the pool is not in use.

The information in this brochure lists a number of options that should be evaluated as possible components of a layered approach to safety. PHTA cannot endorse or evaluate the effectiveness of any individual product, but encourages parents to investigate several of the listed options in the context of the type of pool, spa, or hot tub they have, the ages of children likely to be in the area, and neighborhood and topographical factors. Some of the products listed here are new and represent significant technological advances over what was available just a few years ago.

For additional information, see ANSI/APSP/ICC-8 Model Barrier Code for Residential Swimming Pools, Spas, and Hot Tubs, and the International Swimming Pool and Spa Code (ISPSC).

*Don't be lulled into a false sense of security. PHTA reminds parents that these options are backups to the primary means of accident prevention: **Constant Adult Supervision.***



# Layers of Protection Start with You.

## Members of the Pool & Hot Tub Alliance (PHTA)

are committed to the safe use and enjoyment of pools, spas, and hot tubs, and adhere to a code of business ethics.

To maximize your enjoyment, deal with an PHTA member firm. To locate an PHTA member in your area, visit [www.PHTA.org/memberlocator](http://www.PHTA.org/memberlocator).

For more free consumer safety information, visit:

[www.PHTA.org](http://www.PHTA.org)  
[www.PoolSafely.gov](http://www.PoolSafely.gov)  
[www.CDC.gov/healthywater/swimming](http://www.CDC.gov/healthywater/swimming)



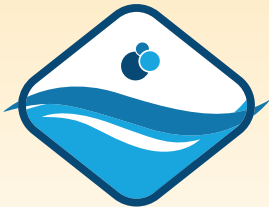
To Help Protect Pool, Spa, and Hot Tub Users—Especially Children Under Five Years of Age



**POOL & HOT TUB ALLIANCE**

2111 Eisenhower Avenue, Suite 500  
Alexandria VA 22314

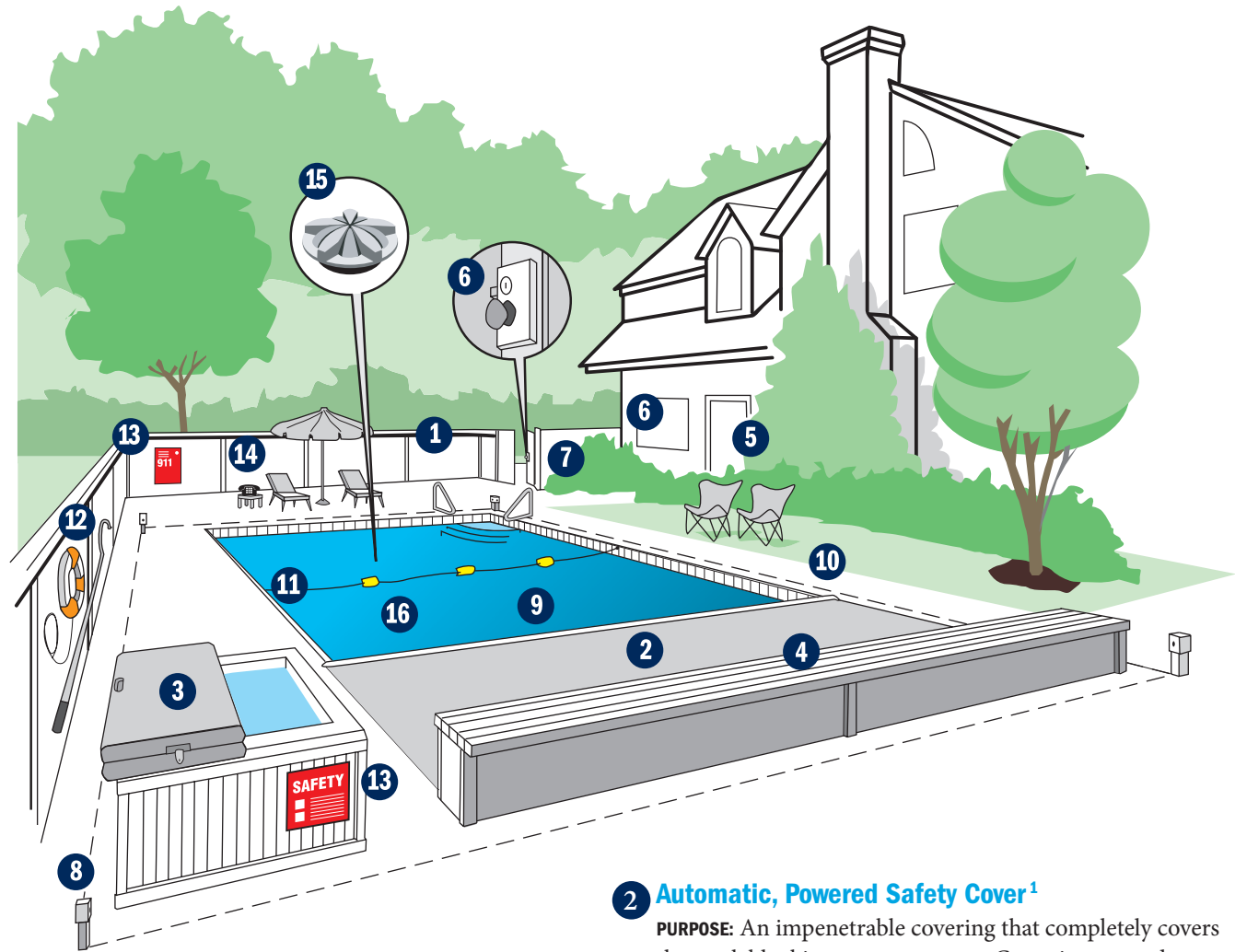
4775 Granby Circle  
Colorado Springs, CO 80919



**POOL & HOT TUB ALLIANCE**



PHTA reminds parents that these barriers and devices are **not** a substitute for **Constant Adult Supervision**.



**1 Fencing<sup>1</sup>**  
**PURPOSE:** Designed to isolate the pool or spa with a minimum 4-foot-high (122-cm-high) enclosure. Where the dwelling forms one of the sides, and there are doors or windows leading from the dwelling to the pool area, one or more additional methods should be used. Fences must be non-climbable, have self-closing and self-latching gates, and comply with state and/or local requirements.  
**TYPES:** Can include chain link, wooden picket, mesh, or other materials as permitted by local code. In some cases, natural topography can provide part of the barrier.

**2 Automatic, Powered Safety Cover<sup>1</sup>**  
**PURPOSE:** An impenetrable covering that completely covers the pool, blocking access to water. Cover is operated electronically or by a key, independent of all other pool equipment. If relied on as the primary safety barrier, the cover should be always be closed and locked whenever the pool or spa is not in use.  
**TYPES:** Must meet ASTM F1346 Standard performance specification for safety covers and labeling requirements for all covers for swimming pools, spas, and hot tubs

<sup>1</sup> Primary barrier    <sup>2</sup> Secondary barrier    <sup>3</sup> Additional devices  
Secondary barriers and additional devices should be used in combination with at least one primary barrier.

- 3 Lockable Hot Tub Safety Cover<sup>1</sup>**  
**PURPOSE:** Factory-built hot tubs are typically equipped with a lockable safety cover. If relied on as the primary safety barrier, the cover should be always be closed and locked whenever the hot tub is not in use.  
**TYPES:** Must meet ASTM F1346 Standard
- 4 Manual Pool or Spa Safety Cover<sup>2</sup>**  
**PURPOSE:** An impenetrable covering that completely covers the pool, spa, or hot tub, blocking access to water.  
**TYPES:** Must meet ASTM F1346 Standard
- 5 Door, Screen, or Window Alarms<sup>2</sup>**  
**PURPOSE:** Sounds when the door, screen, or window is opened.  
**TYPES:** Should be listed in compliance with UL 2017. The deactivation switch should be located at least 48–54 inches (122–137 cm) above the door threshold.
- 6 Self-closing/self-latching devices for doors and latching devices for windows<sup>2</sup>**  
**PURPOSE:** Keeps all doors and windows leading to the pool, spa, or hot tub area securely closed, limiting access by children.  
**TYPES:** a. Hinge pin replacement; b. Sliding glass door closer; c. Swing arm
- 7 Fence Gate Alarm<sup>3</sup>**  
**PURPOSE:** Sounds when fence gate is open.
- 8 Infrared Detectors<sup>3</sup>**  
**PURPOSE:** Wireless detection alarm that sounds when the area around the pool perimeter is entered.  
**TYPES:** a. Light-beam; b. Body energy
- 9 Pool Alarm<sup>3</sup>**  
**PURPOSE:** An alarm placed in the pool that sounds upon detection of accidental or unauthorized entrance into the water.  
**TYPES:** a. Surface water (wave motion); b. Pressure waves (acoustic); c. Electronic monitoring system
- 10 Child Alarm<sup>3</sup>**  
**PURPOSE:** An alarm clipped on the child that sounds when the child exceeds a certain distance or is submerged in water.  
**TYPE:** Clip-on transmitter with in-home receiver

- 11 Rope & Float Line<sup>3</sup>**  
**PURPOSE:** Intended to warn children and non-swimmers of a change in the slope of the pool floor toward deeper water. Rope lines should remain in place, especially when children or non-swimmers are using the pool.
- 12 Life Ring, Shepherd's Hook<sup>3</sup>**  
All rescue equipment should be placed near the pool in an easily accessible spot, and should be kept in good condition. These can be used to pull someone in trouble to safety.
- 13 Posted Emergency Information<sup>3</sup>**  
Post all CPR, other emergency information, and warning signs, as well as the emergency phone number (911 or other emergency medical service number), near the pool, spa, or hot tub.
- 14 Outside Telephone<sup>3</sup>**  
A cordless or poolside telephone means parents don't have to leave children unattended while they answer the phone. Also, it's a good idea to have one handy to summon help, if needed.
- 15 Anti-Entrapment Drain Covers and Fittings**  
Current grates and covers help prevent body or hair entrapment. Make sure that drain covers meet the latest revision of ANSI/APSP-16. Safety doors should be installed in all pool cleaner wall suction lines.  
  
*Never allow children to play in or near drains, suction outlets, or jets. Pools, spas or hot tubs with drain covers that are broken, missing, or not adequately secured, should not be used until the proper replacement has been installed.*  
**There is no backup layer of protection for a missing or broken drain cover, that will protect against all types of suction entrapment.**
- 16 Water Clarity**  
Clear water aids in identifying soakers and swimmers in distress, helps swimmers avoid collisions, and is an indicator that the sanitizer and circulation and filtration systems are working. Poor water clarity suggests the presence of bacteria and/or algae or nutrients for their growth, and that the circulation and filtration systems may not be working efficiently to remove contaminants from the water.

## EXHIBIT B

### PROPOSED ZONING ORDINANCE RELATED LANGUAGE, SECTION IV: *(in red and highlighted yellow)*

#### I. PERMITTED ACCESSORY BUILDINGS, STRUCTURES AND USES - LOCATION & REGULATION

##### 33. Swimming Pools (Private)

Swimming pools (private) may be located in a rear buildable area and are also permitted in the required rear yard, but not closer than 10 feet to the rear lot line. **Section IV.J details fence requirements for outdoor pools.**

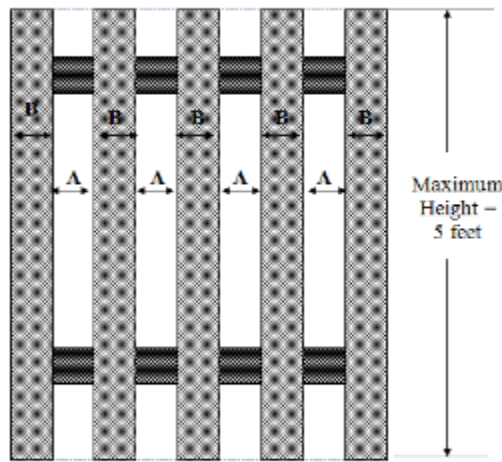
#### J. FENCES

Fences are permitted and may be obstructions in yards (for purposes of this Section the term "yards" shall not be limited to the required yards set forth in this Zoning Ordinance but also shall include all unobstructed open areas on a lot) or courts as regulated herein.

##### 1. Fences, Open -- in residence districts only

1. Fences in residential districts shall be not more than five feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
2. Such fences shall be permitted, unless otherwise provided herein, along the rear lot line and along the side lot lines extending no further toward the front of the lot than the rear wall of the principal building on the lot. Except, however, on corner lots such fences shall extend not nearer to the corner side lot line than the required corner side yard setback. (Amended by Ordinance A-834-13-11)
3. All fence posts and all supports must face the interior of the property on which it is located.
4. Chain link, solid, barbed wire and fences which are electrically charged to produce a shock when touched are specifically prohibited.
5. All fences in residential districts shall be open fences as defined by Section XIV and as depicted below (Amended by Ordinances A-834-09-01 and A-834-13-11). Open fences are defined as a fence, including gates, which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence.

**Figure IV.J.1.e Graphic Definition of Open Fence**



**“A” must be equal to or greater than “B”**

2. Fences -- in non-residence districts

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

1. Fences in non-residential districts, unless otherwise required by this Ordinance, shall be considered special uses and shall be subject to compliance with Section XIII.K of this Ordinance except as modified herein.
2. The standards for consideration of a special use pertaining to a non-residential fence shall be limited to the standards referenced as b, c, d, and h in Section XIII.K.7 of this Ordinance and reiterated as follows:
  1. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
  2. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.
  3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.
3. The location, height, design, and type of fence shall comply with the standards for residential fences contained in Section IV.J.1 above, except as may be specifically authorized by conditions for approval of the special use.

### 3. Fences for Swimming Pools

An in-ground, above-ground, or on-ground pool shall be surrounded by a perimeter barrier which complies with Building and Zoning Ordinance requirements.



## VILLAGE OF BURR RIDGE

### MEMORANDUM

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

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

**DATE:** June 5, 2023

**RE:** Board Report

---

The Board of Trustees took the following actions relative to matters forwarded from the Plan Commission on May 22, 2023:

- **Z-02-2023: 60 Shore Drive (Naddaf - Coda Motors)**
  - The petitioner requested that their case be remanded back to the Plan Commission. At the May 1 Plan Commission meeting, the petitioner was not present, and the Commission voted unanimously to deny the special use for outdoor storage, citing concerns about security and adequate parking for the other tenants. The petitioner would like to present a proposal to the Commission addressing the security and screening of the outdoor vehicle storage, and the amount of parking on site with other tenants.
- **PC-04-2023: 720-730 Village Center Drive (Pella)**
  - After the April 17 Plan Commission meeting, the petitioner altered the plans for the exterior painting and canopies. This revised plan was presented to the Board of Trustees. The plan included painting the single-story storefront located to the north of the main entrance, painting the current off-white façade that wraps around Village Center Dr. to Lifetime Dr., and the interior of the addition along Burr Ridge Parkway. The red brick along Lifetime Dr. remains unpainted in this proposal. The petitioner also removed the additional canopies along Village Center Dr. so that the canopies proposed match the original rendering. There is one additional canopy over an entrance on Lifetime Dr. With these changes, the Board directed staff to draft an Ordinance approving the minor change to the PUD. Chairman Trzupek was the Plan Commission representative that evening and spoke extensively about the proposal.
- The Board directed the Plan Commission to hold a public hearing for a potential text amendment on the number of unrelated people permitted to occupy a single-family residence. The current Zoning Ordinance definition for family includes “not more than five unrelated persons living together as a single housekeeping unit.” The Board directed the Plan Commission to potentially reduce this number, which will limit the use of single-family residences as boarding or lodging houses where individual rooms are rented out. This will be on a future Plan Commission agenda, date to be determined.

05/09/2023

## Permits Applied for April 2023



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JCA-23-097	04/03/2023	550 Village Center Dr Unit 240	Castelli Construction, Inc. 2233 S. Highland Av. Lombard IL 60148	Com Alteration
JCA-23-106	04/06/2023	60 Shore Dr	AHM Builders, Inc. 6260 Blackstone La Grange Highlands IL 60525	Com Alteration
JCA-23-109	04/10/2023	1000 Village Center Dr. #202	L.R. Hein Construction 1480 Industrial Dr. Itasca IL 60143	Com Alteration
JCA-23-128	04/17/2023	6880 North Frontage Rd	E&J Maintenance Construction 367 S. Rohlwing Rd Suite D Addison IL 60101	Com Alteration
JCMSC-23-101	04/05/2023	16W 361 South Frontage RD	Gain Renewables Services, Inc. 3010 Highland Parkway, Unit 225 Downers Grove IL 60515	Commercial Miscellaneous
JCMSC-23-103	04/05/2023	7600 County Line Rd	TBD	Comm ROW
JCMSC-23-112	04/05/2023	7600 County Line Rd	TBD	Commercial Miscellaneous
JDEK-23-108	04/07/2023	7343 Lakeside Cir		Deck
JDEK-23-110	04/10/2023	1 Keri Ln	CK Construction LLC 1521 Wright Blvd Schaumburg IL 60193	Deck



## Permits Applied for April 2023

05/09/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JDEK-23-125	04/18/2023	11679 Briarwood Ln	Indian Ridge Landscaping 11503 73rd Place Burr Ridge IL 60527	Deck
JDEK-23-134	04/19/2023	216 W 59th St	Gorman Construction Company 10450 S. Western Ave. #4 Chicago IL 60643	Deck
JDEK-23-138	04/21/2023	7282 Lakeside Cir	Design-A-Deck Inc. 12465 Raymond Drive Mokena IL 60448	Deck
JDEK-23-141	04/24/2023	7229 Hamilton Ave		Deck
JDEK-23-142	04/28/2023	194 Pheasant Hollow Dr	CEW Construction 260 Saint Andrews Dr Bolingbrook IL 60440	Deck
JDEK-23-143	04/28/2023	190 Pheasant Hollow Dr	CEW Construction 260 Saint Andrews Dr Bolingbrook IL 60440	Deck
JELV-23-098	04/03/2023	1333 Burr Ridge Pkwy	Fujitec America Inc 801 Landmeier Rd. Elk Grove Village IL 60007	Elevator
JODK-23-104	04/06/2023	7804 County Line Rd	Arrowhead Brick Pavers, Inc. 2800 S Cannonball Tr Bristol IL 60512	Outdoor Kitchen
JODK-23-140	04/21/2023	9000 Turnberry Dr	Saucedo Landscaping 15500 W. 143rd Street Homer Glen IL 60491	Outdoor Kitchen



## Permits Applied for April 2023

05/09/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JPAT-23-105	04/06/2023	7804 County Line Rd	Arrowhead Brick Pavers, Inc. 2800 S Cannonball Tr Bristol IL 60512	Patio
JPAT-23-139	04/21/2023	9000 Turnberry Dr	Saucedo Landscaping 15500 W. 143rd Street Homer Glen IL 60491	Patio
JPF-23-102	04/05/2023	8426 Meadowbrook Dr		Fence Permit
JPF-23-123	04/14/2023	560 Conway Ct	Peerless Enterprises Inc. DBA Freeman 200 W. River Rd St. Charles IL 60174	Fence Permit
JPF-23-126	04/17/2023	15W 480 60th Pl	Anaya & Sons Fence Co. 11 S. 20th Av. Maywood IL 60153	Fence Permit
JPF-23-136	04/20/2023	8648 Heather Dr		Fence Permit
JPPL-23-100	04/03/2023	7785 Wolf Rd	Dutch Barn Landscaping 22013 S. Schoolhouse Road New Lenox IL 60451	Pool
JPTR-23-099	04/04/2023	6501 Elm St		Tree Removal
JRAL-23-113	04/12/2023	8460 Kimberly Ct	Irish Castle Paving 7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way





## Permits Applied for April 2023

05/09/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-23-114	04/12/2023	7601 Hamilton Ave	Irish Castle Paving 7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way
JRAL-23-115	04/12/2023	8680 Heather Dr	Irish Castle Paving 7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way
JRAL-23-116	04/18/2023	6240 Grant St	Sol Design Services 334 E May St Elmhurst IL 60126	Right-of-Way
JRAL-23-119	04/13/2023	500 Leonard Ln	A & J Construction Solutions 1013 W Irving Park Rd Bensenville IL 60106	Right-of-Way
JRAL-23-121	04/14/2023	11246 W 72nd St	Refreshing Renovations 600 Industrial Dr Naperville IL 60563	Residential Alteration
JRAL-23-127	04/13/2023	8115 Park Ave	GABR Construction 23W537 Turner Avenue Roselle IL 60172	Residential Alteration
JRAL-23-129	04/17/2023	ROWs DuPage Locations	ComEd 1 Lincoln Centre Oak Brook Terrace IL 60181	Right-of-Way
JRAL-23-130	04/17/2023	ROWs Ck Cty Locations	ComEd 1 Lincoln Centre Oak Brook Terrace IL 60181	Right-of-Way
JRAL-23-131	04/19/2023	1 Pepper Mill Ct	Irish Castle Paving 7701 W 99TH ST Hickory Hills IL 60457	Right-of-Way



## Permits Applied for April 2023

05/09/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-23-132	04/18/2023	ROWs Ck Cty Locations	PirTano Construction Co. 1766 Armitage Ct. Addison IL 60101	Right-of-Way
JRAL-23-137	04/25/2023	ROWs DuPage Locations	R.S. Service Systems, Inc 38 Forestwood Dr. Romeoville IL 60446	Right-of-Way
JRDB-23-107	04/06/2023	8311 Fars Cove	TBD	Residential Detached Building
JRDB-23-111	04/10/2023	124 Oak Ridge Dr	Tuff Shed 11039 Gage Rd. Franklin Park IL 60131	Residential Detached Building
JRDB-23-118	04/13/2023	15W 200 75th St		Residential Detached Building
JRDB-23-120	04/14/2023	220 W Plainfield		Residential Detached Building
JRDB-23-124	04/14/2023	7230 Hamilton Ave	Tuff Shed 11039 Gage Rd. Franklin Park IL 60131	Residential Detached Building
JRES-23-117	04/13/2023	15W 200 75th St		Residential Miscellaneous
JRES-23-144	04/28/2023	2 Hillcrest Ct	Outdoor Masters Inc 329 Marion Ave Aurora IL 60505	Residential Miscellaneous



## Permits Applied for April 2023

05/09/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRPE-23-133	04/19/2023	11888 Crosscreek CT	Nu-Trend Services Inc 1210 Remington Rd. Schaumburg IL 60173	Res Electrical Permit
JRPM-23-122	04/13/2023	1200 Woodview Rd	ABC Electric 220 W. Campus Dr. Arlington Heights IL 60004	Res Mechanical Permit
JRSF-23-135	04/19/2023	171 Ashton Dr		Residential New Single Family
<b>TOTAL:</b>	<b>48</b>			



## Permits Issued April 2023

05/09/2023

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Bono Consulting, Inc	JCMSC-21-272	04/25/2023	701 Village Center Dr.	Commercial Miscellaneous		41,600
Jaylen Thompson	JCMSC-23-080	04/10/2023	7065 Veterans Blvd.	Commercial Miscellaneous	99,950	
Jose Orlanzino	JCMSC-23-087	04/17/2023	311 Shore Dr	Commercial Miscellaneous	11,000	40,652
Ben Isaacs- Rep of Arch Firm	JCNC-22-343	04/14/2023	9115 Kingery Hwy	Com New Construction	1,300,000	4,400
Steven and Melinda Wojnicki	JDEK-23-061	04/04/2023	9080 Turnberry Dr	Deck	45,000	763
Stjepan Suchec	JDEK-23-089	04/03/2023	100 Post Rd	Deck	14,500	363
Michael & Barbara Glynn	JDEK-23-108	04/21/2023	7343 Lakeside Cir	Deck	7,500	295
Fujitec America Inc	JELV-23-098	04/20/2023	1333 Burr Ridge Pkwy	Elevator	35,845	
Jaime Mayorga	JODK-23-104	04/21/2023	7804 County Line Rd	Outdoor Kitchen		60
Brian Block	JPAT-23-085	04/20/2023	8750 Grant St	Patio	4,736	
Jaime Mayorga	JPAT-23-105	04/20/2023	7804 County Line Rd	Patio		34
Shannon & Ron Malachuk	JPF-23-043	04/19/2023	10S 424 Glenn Dr.	Fence Permit	11,600	306
William Burke	JPF-23-050	04/06/2023	11549 87th St	Fence Permit	6,089	164
Schiappa, James & Maria	JPF-23-093	04/06/2023	341 Westminster Dr	Fence Permit	7,190	172
Kazimierz Leja	JPF-23-102	04/17/2023	8426 Meadowbrook Dr	Fence Permit	2,000	
Peerless Enterprises Inc. DBA Free	JPF-23-123	04/24/2023	560 Conway Ct	Fence Permit	12,000	277
Anaya & Sons Fence Co.	JPF-23-126	04/24/2023	15W 480 60th Pl	Fence Permit	4,300	106
Dutch Barn Landscaping	JPPL-23-100	04/19/2023	7785 Wolf Rd	Pool	142,540	548
John Broucek IV	JPTR-23-099	04/14/2023	6501 Elm St	Tree Removal		
LaMantia Design and Construction	JRAD-23-024	04/13/2023	11747 Briarwood Ct	Residential Addition		217

Square footage shown on this report reflects the total for calculating the maximum floor area permitted.

The construction value is based on an estimated value of \$150 per sq. ft. for residential new & addition construction and \$75 per sq. ft. for residential alterations.

Construction value or square footage will not be reflected for miscellaneous permits such as: decks, fences, pools, driveways, etc.



## Permits Issued April 2023

05/09/2023

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Creber Construction	JRAL-23-090	04/25/2023	504 Burr Ridge Club Dr	Residential Alteration		1,104
Irish Castle Paving	JRAL-23-114	04/19/2023	7601 Hamilton Ave	Right-of-Way	20,950	6,715
C. Richard Panico	JRDB-23-107	04/21/2023	8311 Fars Cove	Residential Detached Building	60,000	735
Kapital Electric, Inc.	JRES-22-385	04/18/2023	460 60th Pl	Residential Miscellaneous		
Stjepan Suchec	JRES-23-088	04/03/2023	100 Post Rd	Residential Miscellaneous		
ABC Electric	JRPM-23-122	04/25/2023	1200 Woodview Rd	Res Mechanical Permit	8,120	
Four Seasons Home Services	JRPP-23-019	04/12/2023	6550 Manor Dr	Res Plumbing Permit		
<b>TOTAL:</b>	<b>27</b>					

Square footage shown on this report reflects the total for calculating the maximum floor area permitted.

The construction value is based on an estimated value of \$150 per sq. ft. for residential new & addition construction and \$75 per sq. ft. for residential alterations.

Construction value or square footage will not be reflected for miscellaneous permits such as: decks, fences, pools, driveways, etc.

Occupancy Certificates Issued April 2023

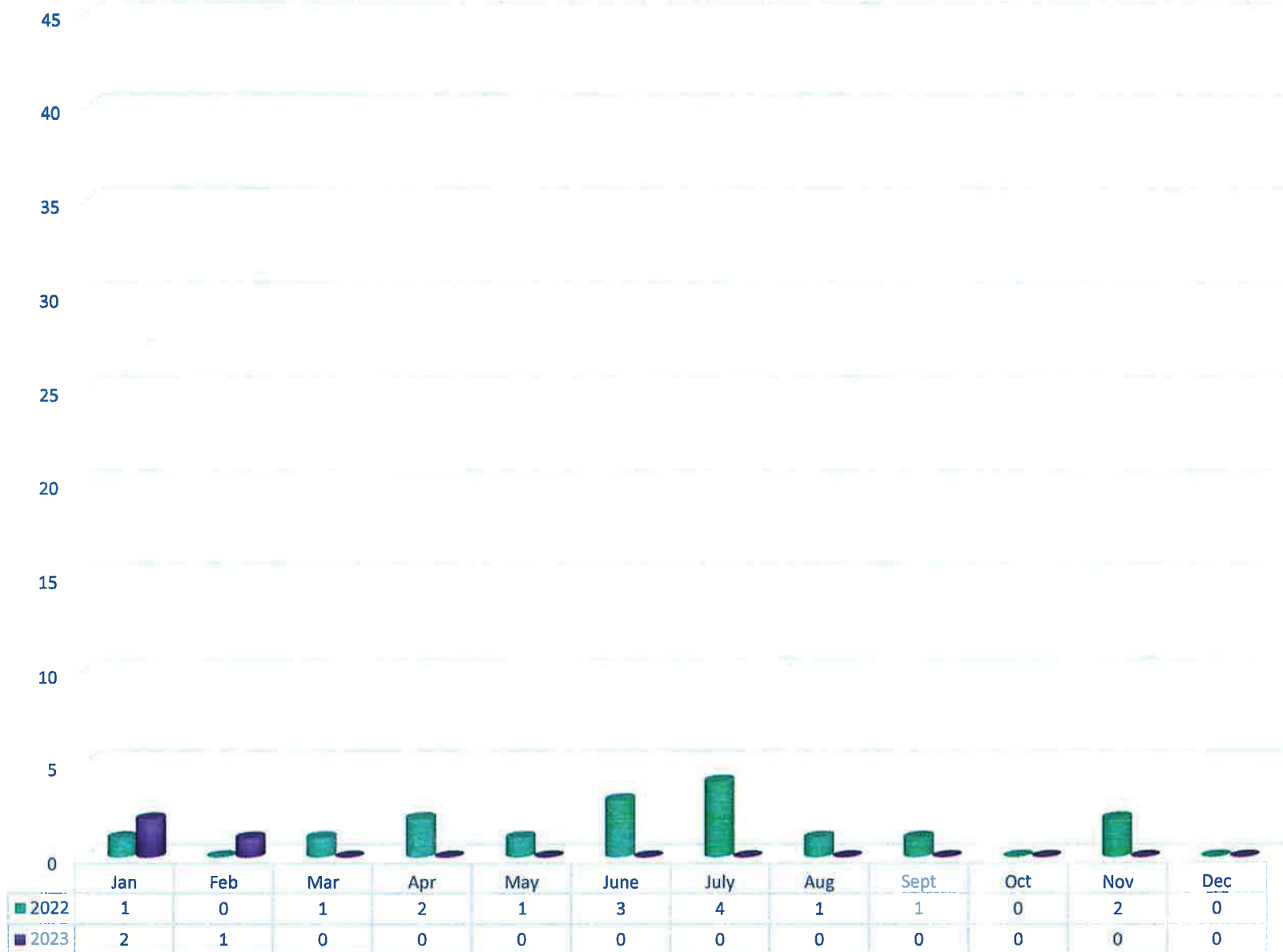
CO#	Certificate of Occupancy Date	Occupant of Record	Address
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## CONSTRUCTION VALUE OF BUILDING PERMITS - MONTHLY SURVEY 2023

(Does not include miscellaneous Permits)

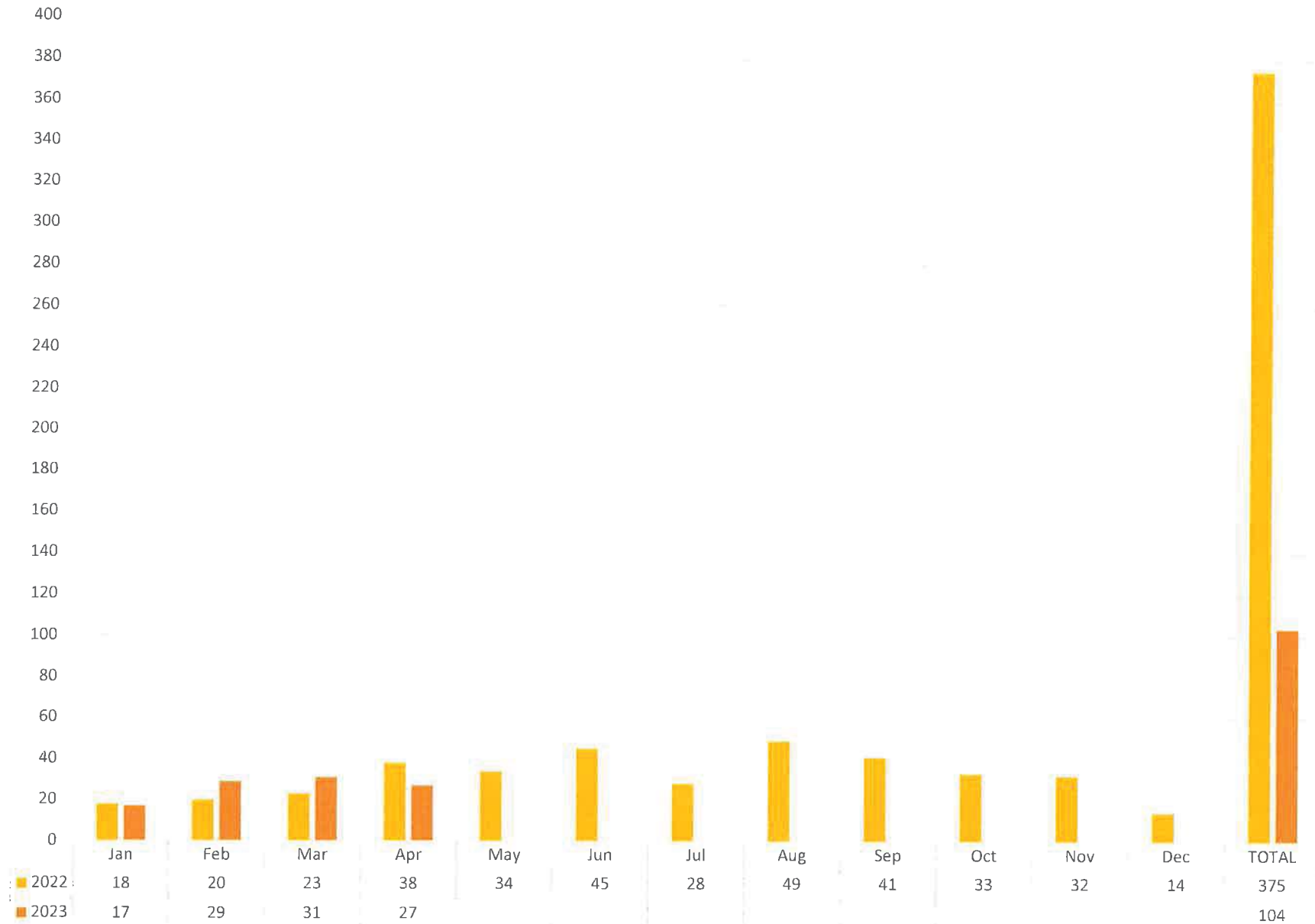
MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH
JANUARY	\$2,450,000	\$16,875	\$0	\$150,000	\$2,616,875
	[2]	[2]	[]	[2]	
FEBRUARY	\$800,000	\$74,325	\$0	\$353,333	\$1,227,658
	[1]	[3]	[]	[4]	
MARCH		\$687,150	\$0	\$4,068,375	\$4,755,525
	[]	[6]	[]	[2]	
APRIL	\$0	\$115,350	\$1,300,000	\$0	\$1,415,350
	[]	[2]	[1]	[]	
MAY					
	[]	[]	[]	[]	
JUNE					
	[]	[]	[]	[]	
JULY					
	[]	[]	[]	[]	
AUGUST					
	[]	[]	[]	[]	
SEPTEMBER					
	[]	[]	[]	[]	
OCTOBER					
	[]	[]	[]	[]	
NOVEMBER					
	[]	[]	[]	[]	
DECEMBER					
	[]	[]	[]	[]	
<b>2023 TOTAL</b>	<b>\$3,250,000</b>	<b>\$893,700</b>	<b>\$1,300,000</b>	<b>\$4,571,708</b>	<b>\$10,015,408</b>
	[3]	[13]	[1]	[8]	

## Village of Burr Ridge New Housing Permits 2022 Compared to 2023





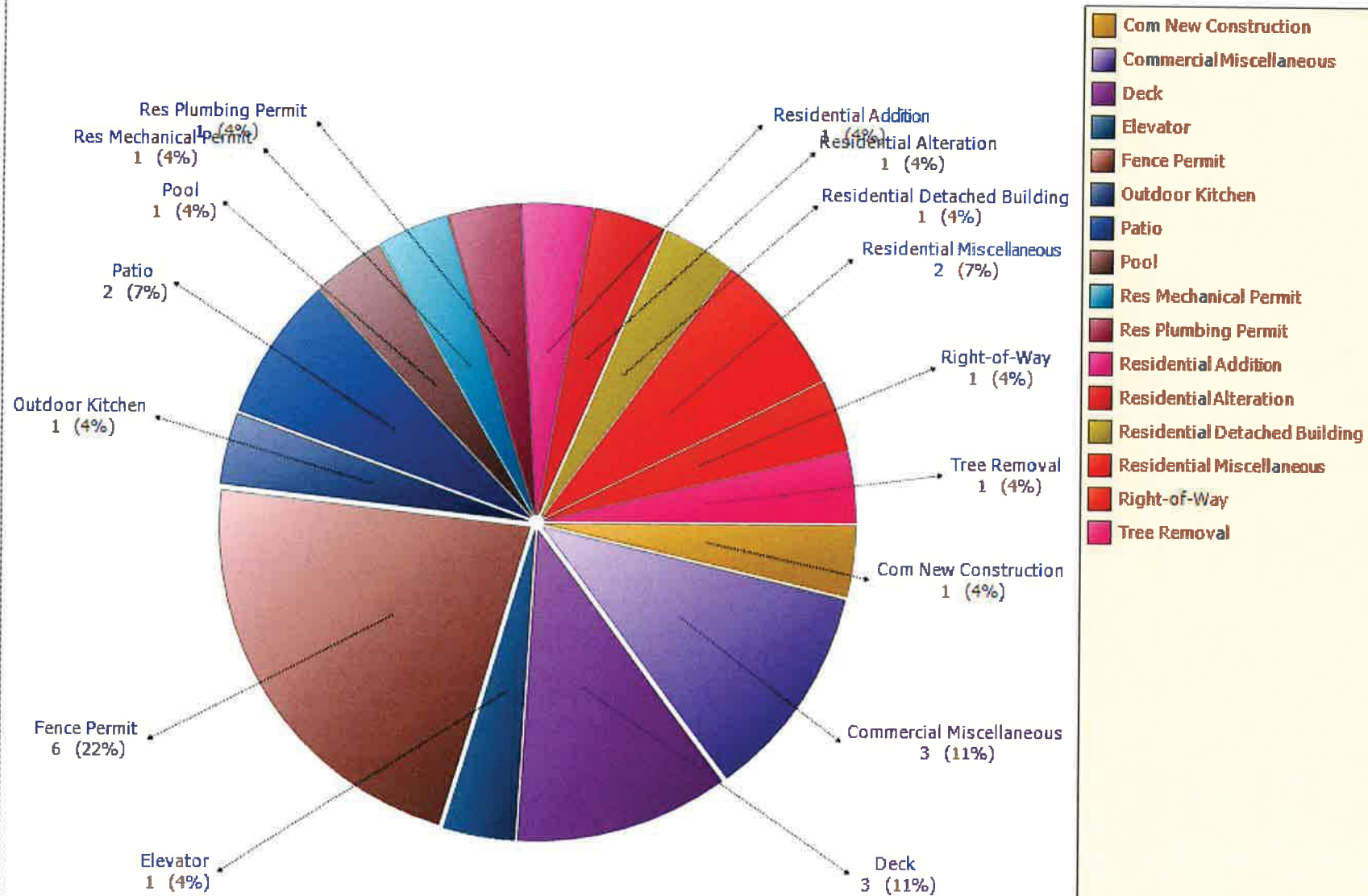
## Village of Burr Ridge Building Permits Issued 2022 Compared to 2023



## Breakdown of Projects by Project Type

Current Chart Filter: All Records, Permit.DateIssued Between 04/01/2023 AND 04/30/2023

## Projects by Project Type





## VILLAGE OF BURR RIDGE

### MEMORANDUM

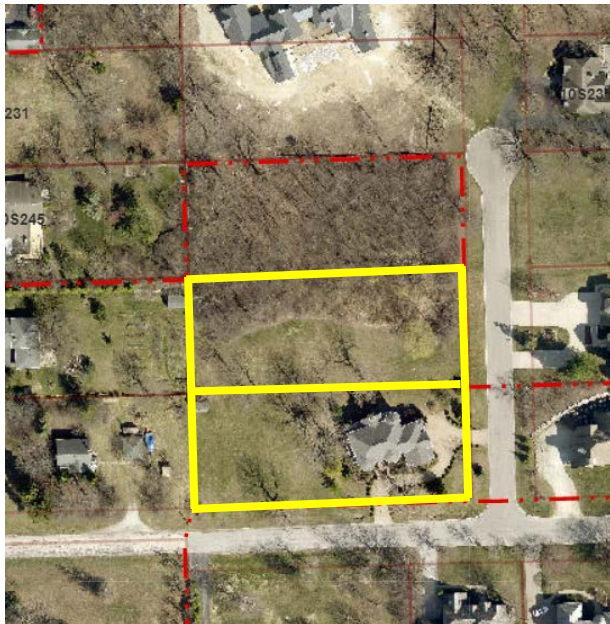
**TO:** Village of Burr Ridge Plan Commission  
Greg Trzupek, Chairman

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

**DATE:** June 5, 2023

**RE:** Extraterritorial Review of 15W730 90<sup>th</sup> Street Variation Requests

The Village received notification of variation requests for two properties, PINs 10-01-101-010 and 10-01-101-011. The property ending with PIN -010 is currently vacant and unimproved. The property ending with PIN -011 is improved with a single-family residence and is addressed as 15W730 90<sup>th</sup> Street. These two properties are in unincorporated DuPage County; Village of Burr Ridge municipal limits are adjacent to the east, northwest, and south. There is no pre-annexation agreement on file for these properties, but there is a recapture agreement, discussed in the evaluation section of this report. Since the Village does not surround the properties completely on three sides, forcible annexation is not possible.

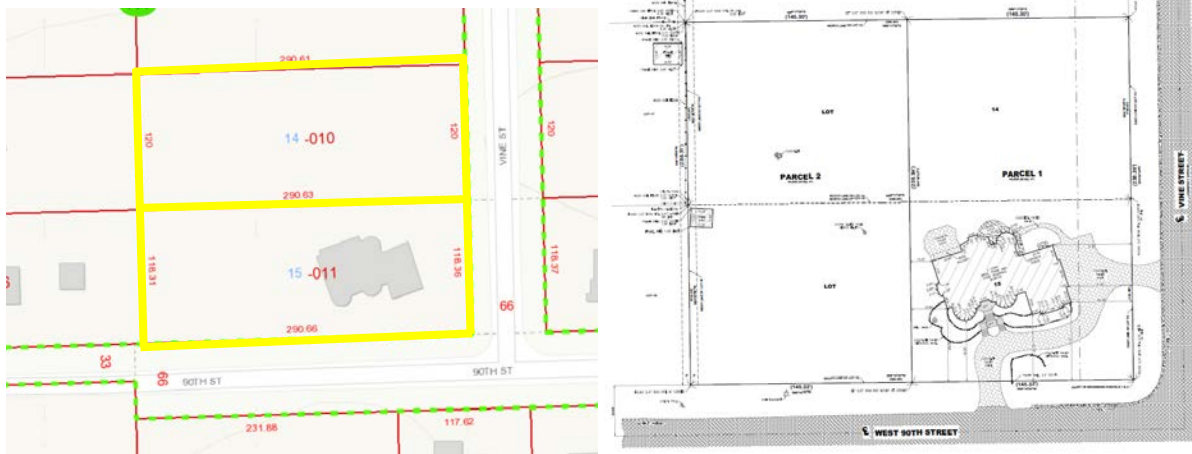


*Left: Aerial image of the properties outlined in yellow.*

*Right: Village of Burr Ridge zoning map with the site outlined in yellow. The shaded parcels indicate properties within the Village limits; unshaded properties are unincorporated.*

The petitioner is requesting four variations, two variations per lot. The petitioner intends to reconfigure the orientation of the parcels. DuPage County GIS illustrates the current configuration of the lots (lots 14 and 15 in Urban's Oakdale Manor), which are divided

east/west. The petitioner intends to have a north/south division. Staff contacted DuPage County to inquire why the petitioner is pursuing this zoning action. As of the date of this report, a response has not been received.



*Left: The current configuration of the parcels with Lot 14 of Urban's Oakdale Manor (PIN -010) with frontage on Vine St.*

*Right: The proposed reconfiguration where the north portion of Lot 14 is combined with the south portion of Lot 15. Proposed Parcel 1 remains a corner lot, but the longest length of the lot is now along Vine St. Proposed Parcel 2 only has frontage along 90<sup>th</sup> St.*

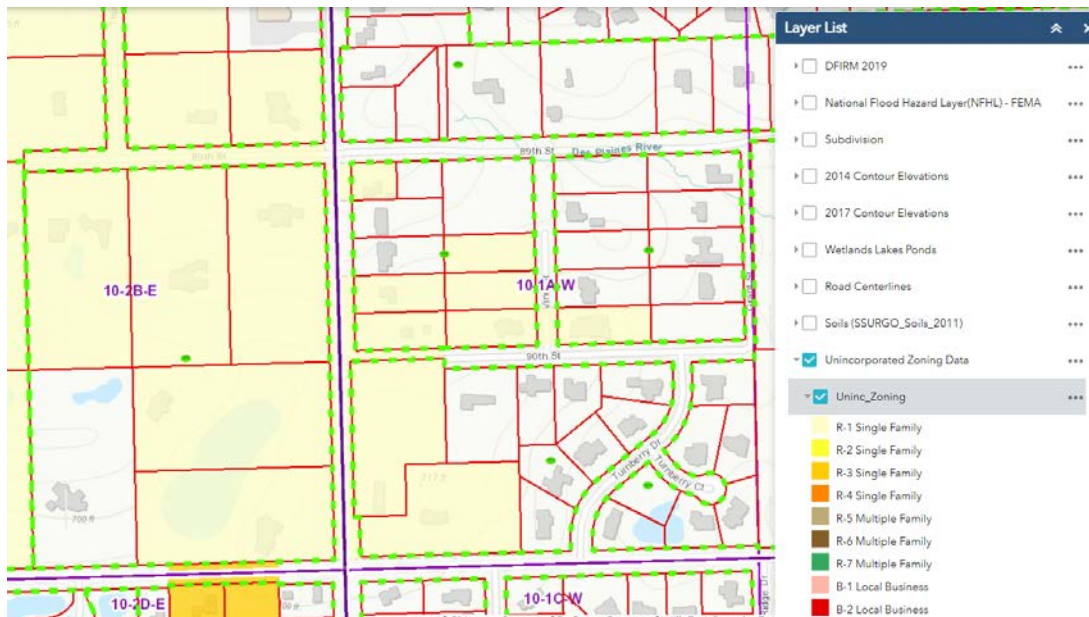
## **Evaluation**

The properties are currently R-1/Single-family residential within DuPage County. The R-1 zoning district requires a minimum of 100,000 sq. ft. of lot area or roughly 2.3 acres, a minimum lot width of 165 ft., and a minimum lot depth of 200 ft. The two parcels in their current configuration are deficient in lot width and lot area. While staff cannot confirm, the parcels are likely legal, nonconforming since Urban's Oakdale Manor was platted in 1931. A comparison of the current and proposed conditions in terms of bulk regulations is below.

Within the vicinity that remains unincorporated, other properties are zoned R-1. The parcels located to the east of Madison and north of 90<sup>th</sup> Street are also deficient in lot width and area.

<b>R-1 Bulk Regulation</b>	<b>Current Lots</b>	<b>Proposed Lots</b>
<b>Lot Width</b> <i>165 ft. minimum requirement</i>	120 ft. (Lot 14) 118.36 ft. (Lot 15)	145.33 ft. (both)
<b>Lot Area</b> <i>100,000 sq. ft. minimum req.</i>	34,872 sq. ft. (Lot 14) 34,402.5 sq. ft. (Lot 15)	34,635.88 sq. ft. (Parcel 1) 34,632.25 sq. ft. (Parcel 2)
<b>Lot Depth</b> <i>200 ft. minimum requirement</i>	290.60 ft. (Lot 14) 290.66 ft. (Lot 15)	238.36 ft. (Parcel 1) 238.31 ft. (Parcel 2)





*DuPage County Zoning Map illustrating other R-1 properties in the vicinity. The shaded properties are located in DuPage County; unshaded are Village of Burr Ridge.*

Through this reconfiguration of the parcels, an accessory structure (shed), will become separated from the principal residence. This shed will now be located on Parcel 2 and under Village of Burr Ridge Zoning Ordinance regulations, would not be permitted without a principal structure or residence.

The properties are subject to a recapture agreement for a water service line running along Vine St. (Ordinance 1195). This agreement would require the parcels to pay a certain amount of money back to the developers who originally paid for the construction of the water service line. As of 2023, neither property has connected to the water service or paid this recapture fee. The developer who receives a portion of this recapture submitted an objection, included as an attachment.

### **Legal Authority for Review**

According to the State of Illinois, the Village is notified of certain zoning actions and may have the legal authority to review certain zoning actions or subdivision proposals up to 1.5 miles outside of its boundaries.

The public hearing for this proposal is scheduled to occur on June 7, 2023 with DuPage County. The Commission may wish to submit comments on this request to DuPage County for that meeting.

### **Attachments**

Exhibit A – Petition Materials from DuPage County

Exhibit B – Public Comment



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

# EXHIBIT A

## BUILDING & ZONING DEPARTMENT

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

[www.dupageco.org/building](http://www.dupageco.org/building)

### DU PAGE COUNTY ZONING HEARING OFFICER PROGRAM

Zoning Petition ZONING-23-000021 Malinin

**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](mailto:Jessica.Infelise@dupageco.org) or via facsimile at 630-407-6702 by **June 6, 2023**.

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:	
MUNICIPALITY/TOWNSHIP/AGENCY/DEPARTMENT:	
GENERAL ZONING CASE INFORMATION	
CASE #/PETITIONER	ZONING-23-000021 Malinin
ZONING REQUEST	1. Variation to reduce the required lot width from required 165' to approximately 145.3' for Lot 1 and 145.3 for Lot 2. 2. Variation to reduce the required lot size from required 100,000 sq. ft. to approximately 34,635 sq. ft. for Lot 1 and 34,632 sq. ft. for Lot 2.
OWNER	JERRY & MARGARET MALININ, 15W730 90 <sup>TH</sup> STREET, BURR RIDGE, IL 60527
ADDRESS/LOCATION	15W730 90 <sup>TH</sup> STREET, BURR RIDGE, IL 60527
PIN	10-01-101-010/ 10-01-101-011
TWSP./CTY. BD. DIST.	DOWNERS GROVE DISTRICT 3
ZONING/LUP	R-1 SF RES 0-5 DU AC
AREA	1.59 ACRES (69,260 SQ. FT.)
UTILITIES	WELL/SEWER
PUBLICATION DATE	Daily Herald: MAY 22, 2023
PUBLIC HEARING	WEDNESDAY, JUNE 7, 2023

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](http://www.dupageco.org/building)

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

### **Zoning Petition ZONING-23-000021 Malinin**

**The DuPage County Zoning Hearing Officer will conduct the following public hearing:**

**PUBLIC HEARING:** 2:30 p.m. **WEDNESDAY, JUNE 7, 2023**, Building and Zoning Conference Room, JACK T. KNUEPFER ADMINISTRATION BUILDING 421 NORTH COUNTY FARM ROAD WHEATON, ILLINOIS 60187

**If you would like to attend the hearing via Zoom, please contact Jessica Infelise at [Jessica.Infelise@dupageco.org](mailto:Jessica.Infelise@dupageco.org) or 630-514-0624 to receive the Zoom call-in/ video conferencing information.**

**PETITIONER:** JERRY & MARGARET MALININ, 15W730 90<sup>TH</sup> STREET, BURR RIDGE, IL 60527

### **REQUEST:**

1. Variation to reduce the required lot width from required 165' to approximately 145.3' for Lot 1 and 145.3 for Lot 2.
2. Variation to reduce the required lot size from required 100,000 sq. ft. to approximately 34,635 sq. ft. for Lot 1 and 34,632 sq. ft. for Lot 2.

**ADDRESS OR GENERAL LOCATION:** 15W730 90<sup>TH</sup> STREET, BURR RIDGE, IL 60527

### **LEGAL DESCRIPTION:**

PARCEL 1: THAT PART OF LOTS 14 AND 15 OF URBAN'S OAKDALE MANOR, BEING A SUBDIVISION OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 15; THENCE S89°18'00"W ALONG THE SOUTH LINE OF SAID LOT 15 FOR A DISTANCE OF 145.33 FEET TO THE MID-POINT OF THE SOUTH LINE OF SAID LOT 15; THENCE N00°46'22"W FOR A DISTANCE OF 238.34 FEET TO THE NORTH LINE OF SAID LOT 14, SAID POINT BEING THE MID-POINT OF THE NORTH LINE OF SAID LOT 14; THENCE N89°17'25"E FOR A DISTANCE OF 145.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S00°46'48"E ALONG THE EAST LINE OF SAID LOTS 14 AND 15 FOR A DISTANCE OF 238.36 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931 AS DOCUMENT 316521, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: LOTS 14 AND 15 OF URBAN'S OAKDALE MANOR, BEING A SUBDIVISION OF THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 15; THENCE S89°18'00"W ALONG THE SOUTH LINE OF SAID LOT 15 FOR A DISTANCE OF 145.33 FEET TO THE MID-POINT OF THE SOUTH LINE OF SAID LOT 15; THENCE N00°46'22"W FOR A DISTANCE OF 238.34 FEET TO THE NORTH LINE OF SAID LOT 14, SAID POINT BEING THE MID-POINT OF THE NORTH LINE OF SAID LOT 14; THENCE N89°17'25"E FOR A DISTANCE OF 145.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S00°46'48"E ALONG THE EAST LINE OF SAID LOTS 14 AND 15 FOR A DISTANCE OF 238.36 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931 AS DOCUMENT 316521, 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



**DUPAGE  
COUNTY**

Building  
Division

Zoning &  
Planning Division

Environmental  
Division

## BUILDING & ZONING DEPARTMENT

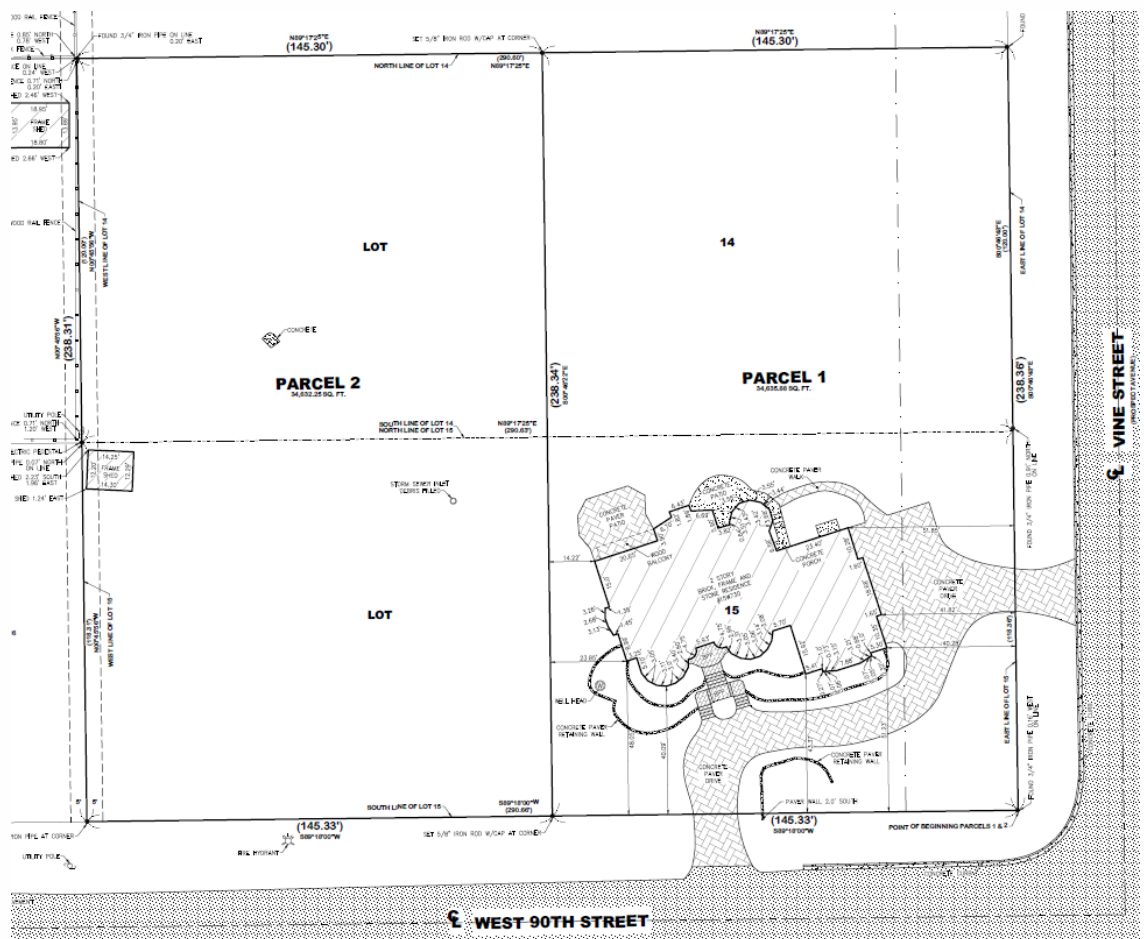
630-407-6700  
Fax: 630-407-6702

[www.dupageco.org/building](http://www.dupageco.org/building)

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.

If you would like to attend the hearing via Zoom, please contact Jessica Infelise at [Jessica.Infelise@dupageco.org](mailto:Jessica.Infelise@dupageco.org) or 630-514-0624 to receive the Zoom call-in/ video conferencing information.





- LEGEND
- MONUMENT FOUND/SET
  - RECORD DIMENSION
  - P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT
  - DE DRAINAGE EASEMENT
  - BPP. BRICK PAVEMENT PORCH

# WOLF PACK CONSULTING, LLC

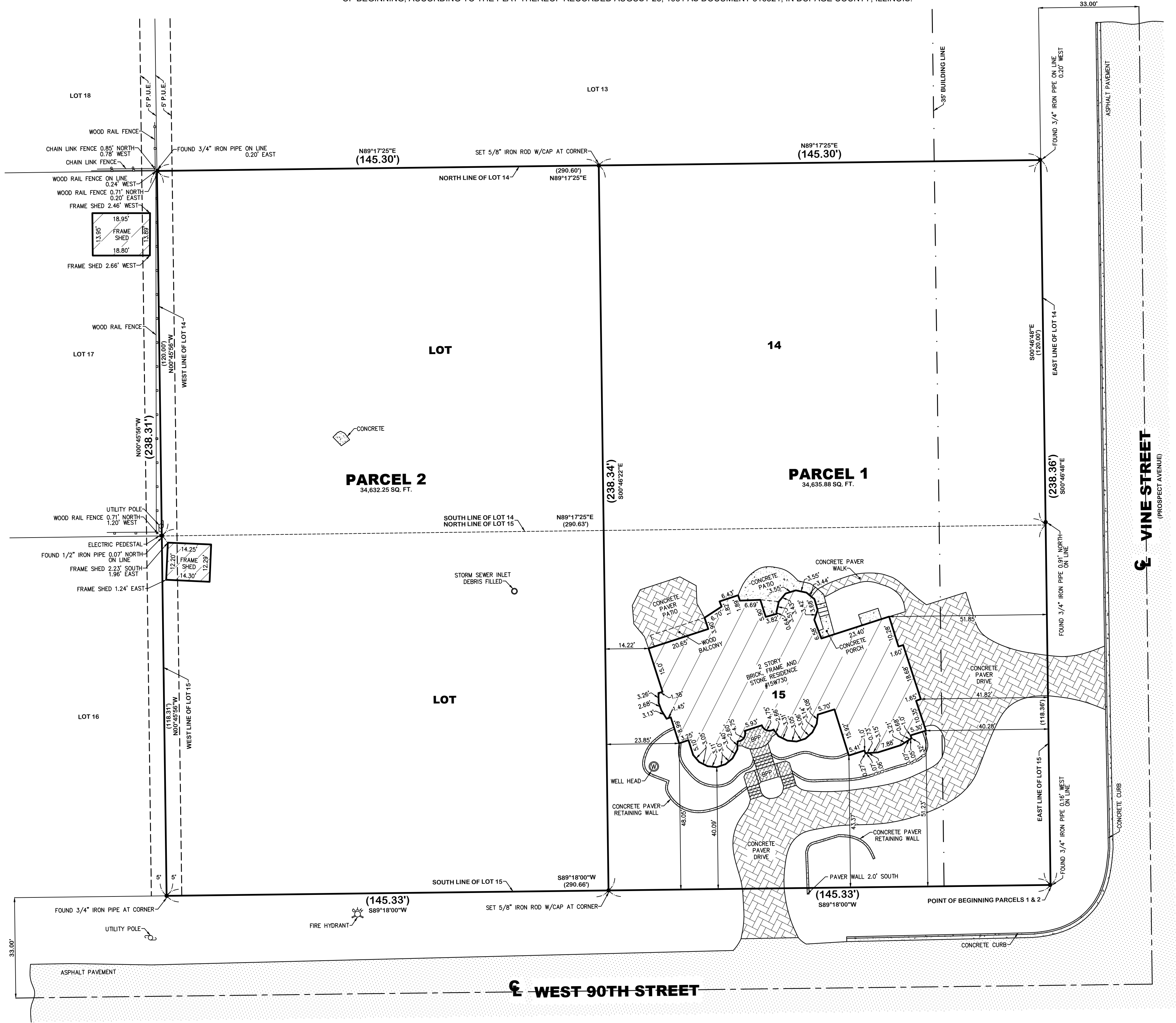
## PLAT OF SURVEY

COMMON ADDRESS:  
15W730 90TH STREET  
BURR RIDGE, ILLINOIS



PARCEL 1: THAT PART OF LOTS 14 AND 15 OF URBAN'S OAKDALE MANOR, BEING A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING A THE SOUTHEAST CORNER OF SAID LOT 15; THENCE S89°18'00"W ALONG THE SOUTH LINE OF SAID LOT 15 FOR A DISTANCE OF 145.33 FEET TO THE MID-POINT OF THE SOUTH LINE OF SAID LOT 15; THENCE N00°46'22"W FOR A DISTANCE OF 238.34 FEET TO THE NORTH LINE OF SAID LOT 14, SAID POINT BEING THE MID-POINT OF THE NORTH LINE OF SAID LOT 14; THENCE N89°17'25"E FOR A DISTANCE OF 145.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S00°46'48"E ALONG THE EAST LINE OF SAID LOTS 14 AND 15 FOR A DISTANCE OF 238.36 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931 AS DOCUMENT 316521, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: LOTS 14 AND 15 OF URBAN'S OAKDALE MANOR, BEING A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF SAID LOTS DESCRIBED AS FOLLOWS: BEGINNING A THE SOUTHEAST CORNER OF SAID LOT 15; THENCE S89°18'00"W ALONG THE SOUTH LINE OF SAID LOT 15 FOR A DISTANCE OF 145.33 FEET TO THE MID-POINT OF THE SOUTH LINE OF SAID LOT 15; THENCE N00°46'22"W FOR A DISTANCE OF 238.34 FEET TO THE NORTH LINE OF SAID LOT 14, SAID POINT BEING THE MID-POINT OF THE NORTH LINE OF SAID LOT 14; THENCE N89°17'25"E ALONG THE NORTH LINE OF SAID LOT 14 FOR A DISTANCE OF 145.30 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S00°46'48"E ALONG THE EAST LINE OF SAID LOTS 14 AND 15 FOR A DISTANCE OF 238.36 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931 AS DOCUMENT 316521, IN DUPAGE COUNTY, ILLINOIS.



APRIL 21, 2023 BOUNDARY SURVEY PARCELS 1 & 2  
JANUARY 27, 2023 BOUNDARY SURVEY LOT 15

PREPARED FOR:	MARGARET MALININ
DATE:	APRIL 21, 2023
SCALE:	1"=20'
DRAWN BY:	MUN/EAN
JOB#	23-09
FLD. BK/PG:	1/80

NOTES:  
THIS COPY NOT VALID WITHOUT EMBOSSED SEAL.  
ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.  
BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. COMPARE THE LEGAL DESCRIPTION.  
BUILDING LINES, AND EASEMENTS AS SHOWN HEREON WITH YOUR DEED OR TITLE POLICY.  
CONSULT THE LOCAL AUTHORITIES FOR ADDITIONAL SETBACK LINES AND RESTRICTIONS NOT SHOWN HEREON. COMPARE ALL POINTS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES AT ONCE.  
DO NOT ASSUME DISTANCES FROM SCALED MEASUREMENTS MADE HEREON.

MY LICENSE EXPIRES NOVEMBER 30, 2024

STATE OF ILLINOIS) SS  
COUNTY OF DUPAGE)

I, MICHAEL J. NELSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

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

WESTMONT, ILLINOIS APRIL 21, 2023  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3095  
PROFESSIONAL DESIGN FIRM LICENSE NO. 184.007246-0010 EXPIRES 04/30/2025  
FIELD WORK COMPLETED ON APRIL 21, 2023

# EXHIBIT B

**From:** [Evan Walter](#)  
**To:** [Joseph Pizzuto](#)  
**Cc:** [Laura Pizzuto](#); [Janine Farrell](#)  
**Subject:** Re: Vine Street Water Recapture #1195  
**Date:** Tuesday, May 30, 2023 10:05:05 PM

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Hi Joe-

Thank you for your email sharing your concerns. The Village received this petition notification and has scheduled it for consideration on the June 5 Plan Commission agenda. Community Director Janine Farrell will include your objection as part of the record and note it at the meeting. While I appreciate your suggestion to call me, I would ask you call her directly, as she will have a greater working knowledge of the petition. If I am available to join the call, I will do so.

**Evan Walter**  
**Village Administrator – Village of Burr Ridge**  
**(630) 654-8181 ext. 2000**

---

**From:** Joseph Pizzuto <joseph@landworkslimited.com>  
**Sent:** Tuesday, May 30, 2023 8:02 PM  
**To:** Evan Walter <EWalter@burr-ridge.gov>  
**Cc:** Laura Pizzuto <waterlilia13@gmail.com>  
**Subject:** Vine Street Water Recapture #1195

May 30,2023

Evan Walter  
Village Manager  
Village of Burr Ridge

I wanted to inform you of a zoning petition , zoning -23-000021 Malinin currently scheduled to have a public hearing on Wednesday June 7,2023.

I am opposed to the requested re orientation of the longer lot lines from a E-W orientation to a N-S orientation.

The re orientation of the longer dimension of the two lots will have them both front on 90 th Street.

The Burr Ridge Vine Street water recapture ordinance #1195 states that the two lots in the zoning petition are subject to pay a water recapture fee to me and my neighbor Mirro Krelina.

We paid for the installation of the water main on Vine Street from 90th to 89 th Street in 2015.

I deduct that the owners of the two subject lots are attempting to reorient the lots in order to escape from paying the water recapture fee.

By orienting the lots to front on 90th Street they might be able to obtain lake water controlled by Burr Ridge from a water main that was installed in the late 1980's.

One without a re capture agreement.

I will call you tomorrow to follow up on my concern.

I be will sending you the zoning petition letter in a separate email.

Time is of the essence in this matter.

Sincerely,

Joe Pizzuto  
10S231 S. Vine Street  
Burr Ridge, IL 60527



Joseph@landworkslimited.com