

REGULAR MEETING PLAN COMMISSION/ZONING BOARD OF APPEALS NOVEMBER 20, 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 NOVEMBER 6, 2023 MEETING MINUTES
- III. PUBLIC HEARINGS
 - 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 & CONTINUED FROM JUNE 5, JULY 17, SEPTEMBER 18, & OCTOBER 16, 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., a special use for outdoor, overnight storage of retail vehicles ancillary to a special use per Zoning Ordinance Section X.F, and a special use for a fence in a non-residential district in accordance with Section IV.J of the Burr Ridge Zoning Ordinance.

B. V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact [REMANDED FROM OCTOBER 23, 2023 BOARD OF TRUSTEES & CONTINUED FROM NOVEMBER 6, 2023]

Requests for four (4) variations from Zoning Ordinance Section IV.I to permit a deck in the front yard, a driveway gate on a parcel less than two acres in lot area, a driveway gate exceeding 6 ft. in height, and a driveway gate within the minimum 30 ft. corner side yard setback; and one (1) variation from Zoning Ordinance Section IV.J to permit a fence in the corner side yard setback. The petitioner seeks to build a driveway gate and fence along County Line Rd. and build a deck on the south side of the property.

C. V-07-2023: 6816 Fieldstone Dr. (Patel): Variation and Findings of Fact

Requests a variation from Section VI.F.4 of the Burr Ridge Zoning Ordinance to permit a Floor Area Ratio of .26 instead of the .20 maximum. The Petitioner seeks to add a 1st floor bedroom to the existing home.

D. Z-10-2023: 212 Burr Ridge Parkway (Jonny Cabs): Special Use Amendment and Findings of Fact

Requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning

Ordinance.

E. V-08-2023: 11680 German Church Road (Village of Burr Ridge): Variation and Findings of Fact

Requests a variation from Section VI.J. and VI.I.12 of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front yard of a single-family residence, (2) three separate fences in the side yard, with the regulations requiring that a fence be located behind the rear wall of a building and (3) a driveway gate 2' from the property line deviating from the 50' minimum requirement.

F. Z-11-2023: 407 Heathrow Ct. (**Fortress Plus Solutions**); **Special Use and Findings of Fact** Request for a special use for a fence in a non-residential district in accordance with Section IV.J of the Burr Ridge Zoning Ordinance.

IV. CORRESPONDENCE

A. Board Report

November 13, 2023

B. **Building Report**

October 2023

V. OTHER CONSIDERATIONS

- A. PC-09-2023: 2024 Plan Commission/Zoning Board of Appeals Meeting Dates
- VI. PUBLIC COMMENT
- VII. FUTURE MEETINGS

November 27, 2023 Village Board - CANCELED

December 4 Plan Commission

A. V-02-2023: 16W122 91st Street (Leon); Variations and Findings of Fact [CONTINUED FROM AUGUST 21, OCTOBER 16, NOVEMBER 6, 2023]

Requests for four (4) variations from Zoning Ordinance Section IV.I to permit (1) a driveway gate exceeding 6' in height, (2) a driveway gate within the minimum 30' front yard setback, (3) light fixtures on architectural entrance structures exceeding the 18" maximum height, and (4) wing walls of architectural entrance structures exceeding 4' in height and 3' in length. The petitioner seeks to construct a driveway entrance gate.

B. Z-12-2023: 114 Burr Ridge Parkway (Capri Express); Special Use Amendment and Findings of Fact

Request to amend an existing special use for outdoor dining.

C. Z-13-2023: 104 Burr Ridge Parkway (Great American Bagel); Special Use and Findings of Fact

Request for a special use for outdoor dining.

D. Z-14-2023: Zoning Ordinance Amendments for Swimming Pool Equipment Pads (Downes Swimming Pool Company); Text Amendment and Findings of Fact

Request for an amendment to Section IV.I.32 of the Zoning Ordinance to increase the size of the swimming pool equipment pad.

E. Z-15-2023: Zoning Ordinance Amendment for Architectural Entrance Structures and Driveway Gates (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section IV.I of the Burr Ridge Zoning Ordinance for the regulations pertaining to architectural entrance structures and driveway gates in residential districts.

F. Z-16-2023: Zoning Ordinance Amendment for Residential Fences (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Sections IV.J of the Burr Ridge Zoning Ordinance for the regulations pertaining to fences in residential districts.

December 11 Village Board

Commissioner McCollian is the scheduled representative.

December 18 Plan Commission

No cases scheduled. Last day for newspaper publication is November 21 due to holiday.

VIII. ADJOURNMENT

<u>VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS</u> <u>MINUTES FOR REGULAR MEETING OF NOVEMBER 6, 2023</u>

I. ROLL CALL

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

ROLL CALL was noted as follows:

PRESENT: 6 – McCollian, Petrich, Broline, Stratis, Morton, and Trzupek

ABSENT: 2 – Irwin and Parrella

Community Development Director Janine Farrell and Planner Ella Stern were also present.

II. APPROVAL OF PRIOR MEETING MINUTES – OCTOBER 16, 2023

Commissioner Petrich requested on page 11, his comments should state he would like landscaping along shore drive, not the entire length of the fence. Commissioner Petrich stated on page 15 the petition against Quick Trip should say several signatures instead of 700 signatures. Commissioner Petrich stated he was the representative for the October 23rd meeting, not November 23rd.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to approve the minutes of the October 16, 2023 meeting as amended.

ROLL CALL VOTE was as follows:

AYES: 5 – Petrich, Morton, Broline, Stratis, and Trzupek

NAYS: 0 – None ABSTAIN: 1 – McCollian

MOTION CARRIED by a vote of 5-0 with one abstention.

III. PUBLIC HEARINGS

Chairman Trzupek introduced the public hearings on the agenda. Chairman Trzupek requested to swear in all those wishing to speak on such matters on the meeting agenda and a swearing in of such individuals was conducted.

A. V-02-2023: 16W122 91st Street (Leon); Variations and Findings of Fact [CONTINUED FROM AUGUST 21 AND OCTOBER 16, 2023]

Director Farrell stated that the Petitioner requested that the matter be continued until December 4, 2023, as they are still working on getting an updated plan of survey.

A **MOTION** was made by Commissioner McCollian and **SECONDED** by Commissioner Stratis to continue the public hearing to December 4, 2023.

ROLL CALL VOTE was as follows:

AYES: 6 – McCollian, Stratis, Morton, Petrich, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

B. V-05-2023: 724 Tomlin Dr. (Szymski); Variations and Findings of Fact

Chairman Trzupek introduced the case and asked for a summary. Stern stated V-05-2023 was a request for two variations (1) to permit a fence in the front yard of a single-family residence, and (2) to permit a fence in the corner side yard within the minimum 30-foot corner side yard setback, located at a 22-foot setback. Stern stated the property was a single-family residence zoned R-3. Stern stated Tomlin Drive serves as the front property line and the corner side yard. Stern stated the property was a corner lot per the Zoning Ordinance definition even though it was a curved street. Stern showed an illustration of the requested fence variations. Stern stated per Zoning Ordinance, Section IV J. Fences shall be permitted 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, and on corner, lots such fences shall extend not near to the corner side lot line than the required corner side yard setback. Stern stated seven public comments were received and a letter from the Petitioner. Stern stated the Petitioner provided findings of fact which may be adopted by the Plan Commission with the recommendation and were included in the staff report. Stern stated there was one recommended condition if the Plan Commission wishes to recommend approval. Stern reiterated there are two separate variation requests, so the Commission may wish to make up to two separate motions handling each request individually.

Chairman Trzupek asked for clarification on the location of the front yard and side yard. Stern pointed to the illustration and showed the Plan Commission the yards.

Commissioner Petrich asked where the Petitioner could build a fence by right. Stern pointed to the illustration and showed the Plan Commission where the Petitioner was permitted a fence.

Chairman Trzupek stated the front of the house was on the side of the garage door and the front door was on the corner side yard. Chairman Trzupek asked how the front yard was determined. Stern stated a calculation was made per the definition of a corner lot, so even though it was a curved street, it was a corner lot.

Chairman Trzupek clarified that by our regulations and calculations, the end on the east side with the garage door was considered the front. Chairman Trzupek asked if the Petitioners could replace the exact split rail fence in the location if it's grandfathered in. Stern stated the Petitioners can only make repairs to the existing fence. Director Farrell stated that was correct. Director Farrell clarified people are

allowed to make repairs to a non-conforming fence such as replacing a rotted post, but they could not replace the fence in that location. Director Farrell stated any new fence taken down or put up had to meet current regulations.

Chairman Trzupek stated anyone could repair every piece of wood on the fence to keep it. Chairman Trzupek asked for clarification on the variation request for the corner side yard. Stern pointed to the illustration to show the corner side yard setback of 22 feet instead of the minimum 30 feet required.

Commissioner Stratis stated if the Petitioner moved one point of the fence in the corner side yard back seven and a half feet, the Petitioners would not need a variation for the corner side yard setback. Stern stated that was correct.

Chairman Trzupek agreed with Commissioner Stratis and stated the fence would then be more in line with the neighboring house. Chairman Trzupek asked if the neighboring house had a 30-foot setback. Stern stated that was correct.

Commissioner Petrich asked if the fence would have to be parallel to Tomlin Drive. Stern stated that was correct.

Chairman Trzupek stated that it made sense to move the point of the fence back because it sticks out beyond the neighbor's corner and into the front yard. Chairman Trzupek asked if the gate was a problem because of the location. Stern stated it was not. Chairman Trzupek clarified that the petition to replace the fence with a wrought iron aluminum fence complies.

Chairman Trzupek asked the Petitioner if they had any comments to add.

Betsy Szymski, 724 Tomlin Dr., stated the fence was in place for 50 years. Szymski stated the neighbor to the west does not have a problem with the fence. Szymski stated they don't understand why the fence cannot be replaced with a better-looking fence to make the whole neighborhood look a little bit nicer.

Chairman Trzupek invited public comment and questions. There was no public comment. Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton agreed with Commissioner Stratis regarding making a modification to the fence in the corner side yard to align with the adjoining house. Commissioner Morton stated he could not see supporting a variation for the corner-side yard setback. Commissioner Morton asked for clarification on a second gate in the corner side yard.

Szymski stated they want a gate in the front and corner side yard. Szymski stated the landscapers have to take the rails out of the split rail fence to mow that area next to the neighbor because it's a narrow area. Szymski stated the landscapers come in off of Tomlin, so they would like to put a gate that the landscapers can open in the side yard to bring the lawnmower in and out, rather than removing the rails and putting them back in.

Commissioner Petrich asked if the gate was a 5-foot-wide gate or a sliding gate. Szymski stated she believed that the landscapers needed a 5-foot-wide gate but was not sure.

Chairman Trzupek asked about the gate in the corner side yard. Stern stated the gate was not an issue.

Szymski stated the fence looks crooked, but it aligns with the neighbor because they are on corner lot.

Commissioner Morton stated the illustration does not show the existing fence in line. Commissioner Morton stated that moving the corner fence inward eight to ten feet would eliminate the need for the variation and be more consistent with the fence regulations. Commissioner Morton summarized that 50 feet of the split rail fence will be removed, but the Petitioners would still have a fence and two gates. Commissioner Morton stated because of a corner lot definition the east side was treated as the front. Commissioner Morton stated the Petitioners are seeking relief from the front yard, and there may be arguments supporting a variation and hardship.

Chairman Trzupek asked if the neighbor could put a fence on the property line in the same location, or if it would have to stop at the rear corner of the home. Stern pointed to where the fence would need to go, starting with the rear wall of the home. Chairman Trzupek clarified the neighbor could put a fence about two-thirds of the way up against their neighbor's house. Stern stated that was correct.

Commissioner Morton stated there would be an odd L shape of fences that would become a problem. Commissioner Morton confirmed with the Petitioner where the patio was located.

Commissioner Stratis agreed with Commissioner Morton. Commissioner Stratis stated he does not have a problem with the variance because of how the property was shaped and that the design of it is a hardship. Commissioner Stratis stated he was not in support of the 22-foot corner side yard setback request. Commissioner Stratis stated Google Earth showed no mature trees or material that provided a hardship in order to come into compliance. Commissioner Stratis commented he does not have a problem with the gate. Commissioner Stratis asked about the letters of opposition from the adjacent neighbors. Stern stated one neighbor directly adjacent to the property was in support of the variation. Stern stated she was unaware about the other neighbor. Chairman Trzupek stated there was confusion with the letters because of the neighbor's uncertainty of which side was the front yard.

Commissioner Stratis asked the Petitioner about the reason for the fence. Szymski stated the fence exists and it looked nice when they bought the house six years ago. Szymski stated the fence was deteriorating, and they thought they could replace it without going through the variation process. Szymski stated she understands the rules, but the lot was unusual. Szymski stated her neighbors believe the front yard was where the front door is.

Commissioner Stratis stated the four-foot proposed fence was a reasonable height. Commissioner Stratis stated he drove through the neighborhood and saw houses that had split rail fences and were deteriorating. Commissioner Stratis reiterated he would support a variation for the fence in the front yard but not within the corner side yard setback.

Commissioner Broline asked the Petitioner to point out the front door. Szymski pointed to the front door. Commissioner Broline stated it was odd to look at the garage and classify it as the front of the house. Commissioner Broline agreed with the Commissioners previous comments.

Commissioner Petrich agreed the property had a hardship based on meeting the strict definition for a front and rear yard. Commissioner Petrich stated by granting the variations, the Petitioners would get a fence on two sides of the home, and no one else in the Village does. Commissioner Petrich stated from a functional standpoint he could see a fence along the side where the patio was located. Commissioner Petrich stated he would be more in favor of moving the fence along Tomlin Drive to the functional backside of the house.

Chairman Trzupek stated that was a good point, but the layout of the house was unknown. Chairman Trzupek stated given the configuration of the house, the narrow portion of the side yard was fenced.

Commissioner Petrich stated the Petitioners would enjoy two sides of the yard, and the fence along the rear yard projects beyond the front of the neighbor's home.

Chairman Trzupek agreed with Commissioner Petrich. Chairman Trzupek stated the 22-foot corner side yard setback was problematic.

Commissioner Petrich agreed with Commissioner Stratis that the corner side yard fence should be parallel with Tomlin Drive. Commissioner Petrich stated the fence should be moved back further west.

Chairman Trzupek stated there would be one variance. Chairman Trzupek stated if the Petitioners moved the fence in the corner side yard back to meet the 30-foot requirements, they would only have one variation to extend the fence to the front yard.

Commissioner Petrich proposed moving the fence back further west because it would make more sense functionally to the neighbors. Chairman Trzupek stated Commissioner Petrich's comment was a valid point.

Szymski stated the fence was there for 50 years. Szymski stated the neighbors are used to the fence there and they do not have a problem with it.

Commissioner Petrich noted a metal fence was very different from a split rail fence. Szymski stated the fence will look different but would be less visible.

Commissioner Petrich noted in the first findings of fact, north should be south. Stern stated that was correct.

Commissioner McCollian agreed there was a hardship due to the layout of the lot. Commissioner McCollian agreed with the Commissioner's comments. Commissioner McCollian agreed the corner side yard fence should be within the 30' minimum setback.

Szymski asked for clarification. Commissioner Stratis pointed where the corner side yard fence could be moved back eight feet. Szymski stated she does not have a problem with moving that portion of the fence slightly back.

Commissioner Morton stated to Commissioner Petrich's point the applicant could submit an application for a fence that would cover two sides of the yard under the existing fence ordinance.

Chairman Trzupek stated one could fence on three sides of your backyard, but only from the rear point of the home. Commissioner Petrich clarified the rear yard was a small portion in the back, and the patio was a part of the variance. Chairman Trzupek stated that was correct. Chairman Trzupek asked for clarification of where the fence could go without a variance. Director Farrell stated the fence would go to the actual wall of the house and continue that angle. Chairman Trzupek clarified that the fence would go down and parallel to the back wall of the house. Director Farrell stated that was correct.

Chairman Trzupek stated he would expect the Petitioners to pull back that corner back to 30 feet to eliminate that variation. Chairman Trzupek stated given the layout of the home and patio, he would be in support of the Petitioners extending the fence to the proposed gate and fence along the side.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Morton, McCollian, Petrich, Broline, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Broline to deny V-05-2023, a request for a variation from Section IV.J to permit a fence in a corner side yard within the minimum 30' corner side yard setback, located at a 22' setback, with Findings of Fact as amended by staff.

ROLL CALL VOTE was as follows:

AYES: 6 – Morton, Broline, McCollian, Petrich, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Broline to approve V-05-2023, a request for a variation from Section IV.J to permit a

fence in the front yard of a single-family residence, with Findings of Fact, and with the following condition:

1. The fence shall substantially comply with the plans submitted by the petitioners and included as Exhibit A. On the east, the portion of the existing fence extending toward the street shall be removed as shown on the plans.

Commissioner Broline supported the request because there was a hardship the Petitioners did not create, and they want the fence back in good shape.

ROLL CALL VOTE was as follows:

AYES: 6 – Morton, Broline, McCollian, Petrich, Stratis, and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0

C. V-06-2023: 8891 S. Madison St. (Knudson); Variations and Findings of Fact

Chairman Trzupek stated the case was withdrawn.

D. V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact [CONTINUED FROM JULY 17 & AUGUST 21, 2023; REMANDED FROM OCTOBER 23, 2023 BOARD OF TRUSTEES MEETING]

Chairman Trzupek stated staff requested the case be continued to November 20, 2023.

Director Farrell stated the case was remanded back from the Board of Trustees from the October 23, 2023 meeting. Director Farrell stated one of the variation requests for the deck within the south side, which was the front yard of the property, was approved by the Plan Commission and the Board directed staff to prepare an ordinance to approve the request. Director Farrell stated the remaining requests were remanded back to the Plan Commission. Director Farrell stated the Petitioner did not have enough time to prepare updated documents to submit for tonight's meeting. Director Farrell requested the case be continued to November 20, 2023.

Chairman Trzupek noted the November 20, 2023 Plan Commission was pretty full. Director Farrell noted that a few cases on the agenda were continuations and deferred to the Plan Commission on scheduling.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to continue V-01-2023 to the November 20, 2023 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Petrich, McCollian, Broline, Morton and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

Chairman Trzupek asked Commissioner Petrich if anything occurred with the QuikTrip discussion at the October 23 Board meeting. Commissioner Petrich stated the Board was against withdrawing the objection and QuikTrip had withdrawn the petition. Director Farrell confirmed that QuikTrip had withdrawn their petition with DuPage County.

V. OTHER CONSIDERATIONS

There were no other considerations.

VI. PUBLIC COMMENT

There was no additional public comment.

VII. FUTURE MEETINGS

Stern stated the Village Board meeting on November 13, 2023, was not canceled and Chairman Trzupek was the scheduled representative. Commissioner Stratis stated he was available as well.

Chairman Trzupek asked about case V-08-2023. Director Farrell stated this is for the Village pump center which has underground facilities that need to be protected, are located directly adjacent to the pump center building, and need to be fenced. Director Farrell stated there have also been multiple issues with people trespassing and the fence and gate will add protection to keep people off of the premises.

Chairman Trzupek asked about the Capri Express petition and noted there's an enclosure at La Cabanita. Stern stated the Petitioner wanted a fully enclosed outdoor dining area, with a black fabric wall. Chairman Trzupek asked if the Plan Commission ever directly addressed the enclosures. Director Farrell stated the Zoning Ordinance permits wall enclosures only through a special use. Director Farrell stated staff began enforcement action at County Line Square which is why the special uses are coming in to allow for these temporary wall enclosures. Chairman Trzupek asked if Johnny Cabs, Capri Express, and the Great American Bagel wanted to do the same thing and include a fabric-type enclosure. Stern stated the Great American Bagel was a special-use request for a fence and awning.

Chairman Trzupek asked about the text amendment for fences and gates. Director Farrell stated the item came from the October 23 Board meeting regarding the V-01-2023 case. Director Farrell stated the Board wanted the Plan Commission to look at permitting gates on properties that are less than two acres in area. Director Farrell stated for fences, the Board wanted the Plan Commission to look at the fence regulations for corner lots.

Commissioner Petrich stated the ad hoc committee for the CNH property was approved.

VIII. ADJOURNMENT

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to adjourn the meeting at 7:55 p.m.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Petrich, McCollian, Broline, Morton and Trzupek

NAYS: 0 - None

MOTION CARRIED by a vote of 6-0.

Respectfully Submitted:		
	Ella Stern	
	Planner	



VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission

Greg Trzupek, Chairman

FROM: Janine Farrell, AICP

Community Development Director

DATE: November 20, 2023

RE: Z-02-2023: 60 Shore Drive (Naddaf – Coda Motors)

As of the writing of this memo, staff has not received any additional documents or requests for a continuation from the petitioners for Z-02-2023. A recap of the case's status is below.

- May 1, 2023: Plan Commission held a public hearing on Z-02-2023, 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 for a special use for outdoor, overnight storage of retail vehicles ancillary to a special use. The Plan Commission voted 8 to 0 to recommend that the Board of Trustees approve the request 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., with five conditions. The Plan Commission voted 8 to 0 to recommend that the Board of Trustees deny the request for a special use for outdoor, overnight storage of retail vehicles ancillary to a special use in accordance with Zoning Ordinance section X.F.
- May 22, 2023: Board of Trustees remanded the case back to the Commission, honoring the petitioner's request, with the stipulation that fencing, screening, and securing the outdoor storage be presented to the Commission. The Board also requested that parking for all the tenants at the site be addressed to ensure adequate spaces are provided.
- June 5, 2023: Petitioners requested to continue the case until July 17, 2023.
- July 17, 2023: Petitioners requested a continuation until September 18, 2023.
- September 18, 2023: Petitioners presented information at the hearing that they will install a fence and requested a continuation until October 16, 2023.
- October 16, 2023: At the public hearing, the Plan Commission did not support the proposed chain link fence with slats and requested the following additional information and changes: a metal fence like what Tesla proposed was preferred, the fence's exact location must be shown, the number of parking spaces within that area shown, how the gates will open, if there are any other tenant spaces in that parking area and how they will be accessed, how traffic will circulate through the site, and owner approval.
- October 24 and November 10, 2023: Staff contacted the petitioners making requests for this information in preparation for the November 20th meeting and did not receive a response.

For reference, the previous recommendations follow.

The Plan Commission voted 8 to 0 to *recommend that the Board of Trustees approve* Z-02-2023, a request 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., with Findings of Fact, and with the following conditions:

- 1. The special use shall be limited to the sale of automobiles with minor detailing and repairs.
- 2. The special use shall be limited to the 10,100 square feet of floor area known as Suites A-B at 60 Shore Drive.
- 3. The special use shall be limited to Joseph Naddaf and his business partners and shall expire at such time that Mr. Naddaf and his business partners no longer occupy the space or an assignment or termination of the lease at 60 Shore Drive occurs.
- 4. Outside display or storage of any goods, materials, and automobiles shall be prohibited.
- 5. Outdoor mechanical maintenance of any vehicle shall be prohibited.

The Plan Commission voted 8 to 0 to *recommend that the Board of Trustees deny* Z-02-2023, a request for a special use for outdoor, overnight storage of retail vehicles ancillary to a special use in accordance with Zoning Ordinance section X.F. The revised Findings of Fact are attached.



V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact; Requests for four (4) variations from Zoning Ordinance Section IV.I to permit a deck in the front yard, a driveway gate on a parcel less than two acres in lot area, a driveway gate exceeding 6 ft. in height, and a driveway gate within the minimum 30 ft. corner side yard setback; and one (1) variation from Zoning Ordinance Section IV.J to permit a fence in the corner side yard setback.

HEARINGS:

July 17, September 18 & November 20, 2023

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Janine Farrell, AICP Community Development Director

PETITIONERS:

Rey & Haley Zaffar

PETITIONER STATUS:

Property Owners

PROPERTY OWNERS:

Rey & Haley Zaffar

EXISTING ZONING:

R-2A Single-Family Residential

LAND USE PLAN:

Recommends single-family residential

EXISTING LAND USE:

Single-family residence

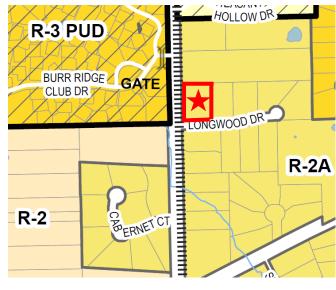
SITE AREA:

 \pm 52,000 sq. ft./1.2 acres

SUBDIVISION:

Longwood





Staff Report and Summary V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact Page 2 of 8

The petitioners are Rey & Haley Zaffar, owners of the subject property. The property is a corner lot with Longwood Dr. serving as the front property line although the main entrance of the home faces County Line Rd., the corner side property line.



Aerial of the property with the property lines or yards and the orientation of the home's main entrance noted.

The petitioners are requesting variations from Zoning Ordinance sections IV.I and IV.J as detailed below. The variations were heard on July 17 and September 18, 2023. The Plan Commission recommendations were then considered by the Board of Trustees on October 23, 2023. The Board directed staff to prepare an Ordinance approving one of the variations but then remanded the remaining variation requests back to the Plan Commission. On November 13, 2023, the Board directed the Plan Commission to hold a public hearing on potential text amendments to residential driveway gates and fences. The status of the individual variation requests is detailed below.

Requested Variations and Status:

- 1. To permit a deck in the front yard: *The Plan Commission unanimously recommended* approval and the Board unanimously approved the request on November 13, 2023. This variation request has now been completed and is no longer under consideration.
- 2. To permit a driveway gate on a parcel less than two acres in lot area: The Plan Commission unanimously recommended denial. The Board directed the Plan Commission to review the driveway gate regulations and to potentially permit gates on properties less than 2-acres in lot area. This text amendment will be on the December 4, 2023 Plan Commission agenda. The petitioner wishes to continue with this variation request.
- 3. To permit a driveway gate exceeding 6 ft. in height: *The Plan Commission unanimously recommended denial and the Board did not support the request. The petitioner withdrew this request, and it will no longer be considered.*

- 4. To permit a driveway gate within the minimum 30 ft. corner side yard setback: The Plan Commission unanimously recommended denial. The Board directed the Plan Commission to review the driveway gate regulations. If the gates are permitted on properties less than 2-acres in lot area, the associated setback should also be reviewed. This text amendment will be on the December 4, 2023 Plan Commission agenda. The petitioner wishes to continue with this variation request.
- 5. To permit a fence in the corner side yard setback: The Plan Commission unanimously recommended denial and the Board did not support the request. They recommended that dense landscaping be added along County Line Rd. instead to provide a barrier. The Board's direction to the Plan Commission for the potential fence text amendment is to review the permitted location of fences so that they are behind the true rear wall of the home. This is relevant for corner lots where the front of the home faces the corner side yard and not the front yard as defined in the Zoning Ordinance. The Board did not direct the Plan Commission to review permitting fences in front of homes, like what the petitioner is requesting. This text amendment will be on the December 4, 2023 Plan Commission agenda. The petitioner wishes to continue with this variation request.

The petitioner provided updated materials, included as Exhibit A.

Remaining Variations Requested, Remanded from the Board of Trustees (existing regulations with the variations detailed in *red italics*)

- Zoning Ordinance Section IV.I:
 - o Driveway Gates (IV.I.12):
 - Permitted on parcels that are a minimum of 2 acres in area and have a front or corner side lot line with a minimum of 150 feet of street frontage. While the property has 260 ft. (County Line Rd.) and 199 ft. (Longwood Dr.) of street frontage meeting that provision, it is only 1.2 acres in lot area and does not meet the minimum 2-acre lot area requirement.
 - Driveway gates are permitted in a front buildable area and are also permitted in the required front and corner side yard but not closer to the front or corner side lot line than 30 feet. However, for each 3 feet of lot frontage less than 220 feet, an additional one-foot setback shall be provided. One gate per driveway is permitted. While the petitioner is requesting the driveway gate in the corner side yard which is permitted if the property met the 2-acre minimum requirement, it does not meet the minimum required setback of 30 ft. The gate is proposed just inside the property line along County Line Rd.
- Zoning Ordinance Section IV.J:
 - o Fence:
 - 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. The fence is proposed within the corner side yard setback, just inside the County Line Rd. property line. Per the Plat of Survey and Plat of

Staff Report and Summary V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact Page 4 of 8

Subdivision, there is a minimum 100 ft. setback along County Line Rd. For reference, there is an 80 ft. minimum setback in accordance with the County Line Rd. Overlay District regulations; 40 ft. is the standard R-2A corner side yard setback.

At the July 17, 2023 meeting, the Plan Commission requested additional information about properties in the area which have fences along County Line Rd. within the required setback. Information about the properties with frontage along County Line Rd. and which have a gate and/or a fence, starting from the Village's northern boundary (north side of 60th Street) running south to the I-55 interchange is on the following page. This information was included in the previous staff report and is unchanged.

It is important to note that there are three subdivisions in this vicinity which have fences along County Line Road - Burr Ridge Club (gate also), Burr Ridge Estates, and Carriage Way. Subdivision fences, gates, and entry monuments require Village Board approval and are held to different Ordinance requirements than individual single-family residential properties (Subdivision Ordinance as opposed to Zoning Ordinance).

Map of properties; subject site with red star	(Map #) Address	Gate	Fence
Flagy Creek 2 Rd 3 4 McCullough Park	(1) 6110	Yes – meets Z.O. regulations/ permit #17-176	Yes – meets Z.O. regulations/ surrounds pool in rear yard
	(2) 6116	Yes – in setback; variation to permit fence & gate in setback approved in 1984 (Ord. A-454-04-84)	Yes – in setback; variation to permit fence & gate in setback approved in 1984 (Ord. A-454-04-84)
	(3) 6161	Yes – in setback; gate potentially on property with the fence in setback since at least 1951, pre-dating Village's incorporation in 1956	Yes – in setback; fence on property in setback since at least 1951, pre- dating Village's incorporation in 1956
	(4) 6191	Yes – in setback; gate potentially on property with the fence in setback since at least 1951, pre-dating Village's incorporation in 1956	Yes – in setback; fence on property in setback since at least 1951, pre- dating Village's incorporation in 1956
	(5) 6330	Yes – meets Z.O. regulations/ permit #21-172	Yes – meets Z.O. regulations/ permit #18-216
	(6) 6401	No	Yes – in setback; variation to permit fence in setback approved in 1993 (Ord. A-454-16-93)
	(7) 6501	Yes – meets Z.O. regulations/ permit #09-041	No – denied variation & text amendment to locate fence in the front & corner side yards in 2013 (Ord. A-834-25-13 & A-834-26-13)
	(8) 6545	Yes – in setback; approved a variation to permit a gate in the rear yard (front entrance is Shady Ln.) & in setback in 2013 (Ord. A-834-07-13)	Yes – in setback; approved a variation to permit a temporary snow fence in setback in 2011 (Ord. A-834-33-11)
	(9) 6547	Yes – meets Z.O. regulations/ permit #13-223	Yes – in setback; aerial imagery inconclusive due to heavy tree cover, home constructed by 1951, pre-dating Village's incorporation in 1956

Of the nine properties surveyed which have fences and/or gates along County Line Rd., eight have fences. For the one home that does not, it was denied a variation request to put a fence in the setback in 2013. Of the eight homes with fences, two have fences which meet Zoning Ordinance regulations. Of the remaining six homes, all have fences within the County Line Rd. setback. Three of those homes received variation approval for fences in the setback, but one approval was for a temporary snow protection fence only. The approved Ordinances are included as Exhibit B. For the remaining three homes, they are legal, nonconforming sites with homes

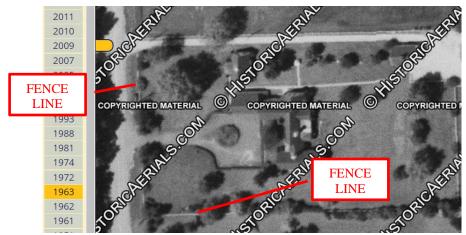
and/or fences that pre-date the Village's incorporation. The two properties closest to the subject site, immediately adjacent to the north on the east side of County Line Rd. (6161 and 6191), have fences and gates within the front yard along County Line Rd. These two properties have had these fences and gates since at least 1951, prior to the Village's incorporation, and would be deemed legal, nonconforming or "grandfathered-in."



1951 aerial image of 6161 and 6191 County Line Rd. when they were one property. The darker shaded box around the site is the fence line.



1963 aerial image of 6161 County Line Rd., after the property was divided. The darker line around the property is the fence line.



1963 aerial image of 6191 County Line Rd., after the property was divided. The white line around the property is the fence line.

Public Hearing History

No zoning action was found on file since the property was placed in its current zoning district classification.

Public Comment

Haley Zaffar, the owner, circulated a petition to her neighbors to support the requests. There were six signatures received on the petition. This petition is included as Exhibit C.

Findings of Fact and Recommendation

Three of the five variation requests remain. The Plan Commission already voted to recommend unanimous denial of these requests. The Plan Commission may wish to reaffirm the prior recommendation or make new motions on the requests. The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. Should the Commission recommend approval, staff recommends that said recommendation be subject to the following condition: The gate and fence shall substantially comply with the plans submitted by the petitioner and included as Exhibit A.

- Variation from Zoning Ordinance Section IV.I to permit a driveway gate on a parcel less than two acres in lot area.
- Variation from Zoning Ordinance Section IV.I to permit a driveway gate within the minimum 30 ft. corner side yard setback.
- Variation from Zoning Ordinance Section IV.J to permit a fence in the corner side yard setback.

Staff Report and Summary V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact Page 8 of 8

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations, including updated materials
- Public Notifications

Exhibit B – Ordinances for other properties in vicinity with fences in the County Line Rd. setback

Exhibit C – Neighborhood Petition



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): Rey Zaffar and Haley Zaffar		
STATUS OF PETITIONER: Homeowners residing at the Subject Property		
PETITIONER'S ADRESS: 6301 South County Line Road, Burr Ridge, IL		
ADDRESS OF SUBJECT PROPERTY: 6301 South County Line Road, Burr Ridge, IL		
PHONE: 630-202-6965		
EMAIL: rey.Zaffar@gmail.com		
PROPERTY OWNER: Rey Zaffar and Haley Zaffar		
PROPERTY OWNER'S ADDRESS: 6301 South County Line Road, Burr Ridge, IL PHONE: 630-202-6965		
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment X Variation(s)		
DESCRIPTION OF REQUEST:		
Petillioner requests variations under Sections IV.I.12, IV.I.34 and IV.J of the Village Zoning Code to allow for (1) the installation of a fence along the west property line		
of the Subject Property along the single-family residence's frontage along South County Line Road, (2) the installation of an entry gate and pillars at the private		
single-family driveway onto South County Line Road and (3) the installation of a balocony adjacent to the single-family residence in the south yard along Longwood Drive.		
PROPERTY INFORMATION (to be completed by Village staff)		
PROPERTY ACREAGE/SQ FOOTAGE: ~ 50,000 Existing zoning: R-OA		
EXISTING USE/IMPROVEMENTS: ROSICIONTICI - SINGLE Family restalence		
SUBDIVISION: LONGLOOOD - LOT 1		
18-18-307 CO		
PIN(S) #		
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.		
X hly W 7023 Petitioner's Signature Date of Filing		

Address:

6301 South County Line Road, Burr Ridge, IL

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

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

See attached Petitioner Homeowner's Narrative Statement

b. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

Petitioners Homeowners' Narrative Statement for Variations under Section 4 and Section 6 the Village of Burr Ridge Zoning Ordinance to the Subject Property at 6301 S. County Line Road, Burr Ridge, IL.

Petitioners Homeowners' Narrative Statement is offered to address and support the Findings of Facts as they relate to each of the three (3) variations sought by the Petitioners under Section 4 and Section 6 of the Village of Burr Ridge Zoning Ordinance, namely variations to allow for (1) the installation of a residential fence along the west property line of the Subject Property along the single-family residence's frontage along South County Line Road, (2) the installation of an entry gate at the private driveway onto South County Line Road serving the single-family residence, and (3) the installation of a balcony in the south side yard and adjacent to the single-family residence on the Subject Property.

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

The Subject Property is within an established nine home Burr Ridge residential subdivision adjacent to properties all improved with existing single-family homes. The Subject Property is a west facing, single-family residence occupied by the Petitioners Homeowners' family with its west property line frontage along the well-traveled and major arterial South County Line Road. The Subject Property's south side yard has frontage on Longwood Drive the cul-de-sac street serving the residential subdivision. The variations to allow for the installation of a residential fence along the west property line of the Subject Property along the single-family residence's frontage along South County Line Road and the installation of an entry gate at the private driveway onto South County Line Road ensure the safety and security for Petitioners Homeowners' family and two small children and serve as a privacy buffer along South County Line Road. Similarly, given the residence is west facing, the variation allowing for the installation of a balcony in the south side yard and adjacent to the single-family residence ensures full benefit of the use of the side yard, Petitioners' single-family residence and the Subject Property. Due to the west facing positioning of the residence on the property, the south side yard facing Longwood Drive is the largest open space on the Subject Property with the open space needed and to be used as yard and play area for the Petitioners' minor children, ages 4 and 2. The installation of the adjacent outdoor balcony with secured access increases safety and security for the Petitioners' and their children by providing ready access and supervision of the open space. The variations sought by Petitioners are in keeping with the established character and amenities common to other existing single-family residences including adjacent properties in the immediate area to the Subject Property.

b. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.

The variations sought by Petitioners would allow for amenities in keeping and in concert with similar single-family homes already existing in the established nine home residential subdivision.

Fencing, gates and a balcony, specifically, are existing within and common to single-family residences and residential developments throughout the Village of Burr Ridge. Petitioners' access to and use of the largest open space portion of a Subject Property provides them the reasonable return intended in the home design and the residence's orientation on the lot. Petitioners look to the Village to grant the requested variations to allow Petitioners' full right of use, enjoyment and utility of Petitioners' home and of the Subject Property as other residents of the Village of Burr Ridge enjoy.

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

The Subject Property is unique to other single-family homes within the subdivision because of its lot orientation being west facing with its west property line frontage along the well-traveled and major arterial South County Line Road and its south side yard adjacent to Longwood Drive. Several Burr Ridge residential properties on South County Line Road have gates and properties north of the Subject Property, including the immediately adjacent property, currently have gates along South County Line Road. The gate access significantly increases the security and safety of the residence, the Petitioners and their children considering the significant traffic on South County Line and Plainfield Road and the proximity of the Subject Property to Interstate 55. The front yard per the zoning ordinance is the yard facing Longwood Drive even though the front of the house faces west.

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

The variations sought by Petitioners for the installation of a fence, driveway gate and balcony are to increase the Petitioners' safety and security of Petitioners' use and enjoyment of the home and the Subject Property, amenities common to single-family residences and residential developments in the Village. Additionally, the variations for the fence and driveway gate are requested and necessary to mitigate the impacts to the private residence's immediate proximity to the well-traveled and major arterial South County Line Road.

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

Fencing, gates and balconies are amenities common to single-family residences and residential developments in the Village of Burr Ridge but are not currently present on the Subject Property nor were they present when Petitioners purchased the residence. Petitioners moved back to Burr Ridge with the intent to raise their family in the community where he was raised. The granting of

the variances to allow for the fence, driveway gate and balcony enables the Petitioners to enjoy the Subject Property and benefits the neighborhood as well as providing safety and security for Petitioners' young children.

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

The variations sought by Petitioners for the installation of a fence, driveway gate and balcony are specific to the Petitioners' residence and therefore the resulting improvements are not detrimental to the public welfare nor will they have any direct or indirect affect to adjoining properties or the other single-family residences and properties in the residential subdivision. Specifically, the location of the proposed balcony is in the largest open space on the Subject Property and will be constructed well within the building line as noted on the survey included with and made part of this Narrative Statement.

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

The installation of a fence, driveway gate and balcony, while specific to the Petitioners' residence, will enhance essential character of the established nine home residential subdivision. The variations requested by the Petitioners and the resulting addition of the fence, driveway gate and balcony are common to single-family residences and residential developments in the Village of Burr Ridge, generally, and will not alter the character of the neighborhood.

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

The variations sought by Petitioners for the installation of a fence, driveway gate and balcony are of such size and nature so as to not impair the supply of light and air to adjacent properties, or increase the congestion of the adjacent South County Line Road or Longwood Drive, or increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood. Rather, the variations and the companion improvements and amenities of fencing, a driveway gate and a balcony will increase the enjoyment and utility of the Subject Property and maintain or enhance the property values within the established nine home residential subdivision. Additionally, the proposed gate will be automated both by remote and secured text message for efficiency of use and its location on the residence's driveway will allow for cuing of more than one vehicle from South County Line Road.

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

The variations sought by Petitioners are in keeping with the recognized, established character common to single-family residences and residential developments in the Village of Burr Ridge, generally, and are in keeping with the established character and amenities common to the other existing single-family homes within the subdivision and the residential properties in the immediate area to the Subject Property, specifically. Petitioners moving back to Burr Ridge to raise their family demonstrates their belief in Burr Ridge being "A Very Special Place" as they support the development and improvement of their Burr Ridge community.

As part of Petitioners' Narrative Statement and Petition Petitioners have attached photographs of the gate and fence they intend to erect along South County Line Road as shown on their survey. The Petitioners' balcony will be approximately two (2) feet off the ground to accommodate the door from their home at that location. The balcony will be 12 feet by 32 feet as depicted on the survey and be made of a Trex composite material with railings and balusters painted to match the house. The base of the balcony will have stone posts to match the house.

To the Village of Burr Ridge City Council Members:

In anticipation of our City Council meeting this month we wanted to share with you some reference photos and key points we would like to emphasize.

We seek to put a fence in our yard and a gate on our driveway, at our property line. We found a gate that is in a similar and appropriate style that complements the neighbors' existing gates as people drive down County Line. It should be noted that between I-55 and 60th street, County Line Road has only nine single family homes with driveways that face the street. Of those nine homes, seven have gates. There are other homes in the area but they are in subdivisions and protected by a fence, gated security or other barrier. I'm attaching several photos of the northbound and southbound view from our entrance, our neighbor's gates along County Line Rd, the Burr Ridge Club fence across the street from us and a new home under construction on County Line. As you can see, the gates and fences are in line with one another, and we seek to put a gate similar in style as well. We want to place it on our property, which is still further back than our neighbors and that is okay with us.

- 1. Our primary reason for needing a gate is the safety and security of our family, specifically our young children. Our daughter Zahra is 5 and is getting an individualized education plan (IEP) at Elm due to several concerning behaviors, the most relevant being she doesn't stop or respond to her name when called, even in dangerous situations such as traffic. Unlike our neighbors, we are on a uniquely situated lot with exposure on both County Line and Longwood drive, which puts us in a difficult position to secure our home and property. The orientation of the house on our lot is such that the majority of enjoyable space is the area between the front of the house and County Line and the side facing Longwood. Our children play in the yard and ride bikes in the driveway. However, due to them being so young and County Line being so busy, monitoring them for safety (especially Zahra) so they don't cross into the road is challenging and unduly burdensome. We want our kids to play safely on our property and gate is the primary way of creating an appropriate safety barrier. The inability to create a safe play environment is a hardship for our family. On Wednesday, October 11th, Rehan's father, a 75 year old man wanted to play with our kids outside. While they were outside, one of our kids took off down the driveway and while he was in good physical shape, could not keep up or stop our child from getting to the road. This represents the very real risk that we face each day. Even under good circumstances, it can be impossible to stop a child on a bike on short notice.
- 2. There is a property similarly situated as ours in orientation located 6116 S County Line. Its lot is half the size of ours and yet it has two gates, one on County Line and one on Woodgate Drive. Previous owners requested and received a variance approval for the gate/fence, meaning previous planning commissions and city council understood the hardship and agreed a gate and fence was acceptable. This is a key example of how our property needs are nearly identical and are appropriate precedent for us.

- 3. The traffic on County Line is extremely fast and busy at all hours. People will pull into our long driveway to turn around because it has the unsecured driveway and space to do so. Because the surrounding homes and subdivisions have gates we have become the most vulnerable lot and first window of opportunity for people to enter. In addition, rising crime, and car theft has risen dramatically over the last couple of years. Having such an exposed property makes us a very easy target because we are the most accessible.
- 4. While we did install a security system, the high traffic on County Line triggers the video alerts and maxes out our recordings in the three days of each month. Meaning, even with our existing security system, we can't properly monitor the entrance area because the volume of traffic is so high. A gate is the only certain method of ensuring that our kids are protected from accidentally going into the street and preventing unwanted people from driving onto our property.
- 5. We have adamant support from our neighbors in this matter and I have a signed document from them affirming their support for our request.
- 6. There is a house under construction on S County Line Rd, just north of Plainfield Rd. They have a circular driveway that enters/exits onto County Line. If they were to apply for a variance for a gate they would also need to apply for a variance regarding the setback. Based on the right of way and 30ft rule previously discussed at planning commission meetings, their gate would be nearly at the front door. This serves as an example of why people apply for such variances, particularly the road north of I-55 on County Line Rd. Our needs in this area are distinctly unique from the vast majority of Burr Ridge.

We thank you in advance for taking the time to review these materials and we look forward to meeting you all in person.

Thank you, Haley and Rehan Zaffar LA STORE

PH:630 226-9200

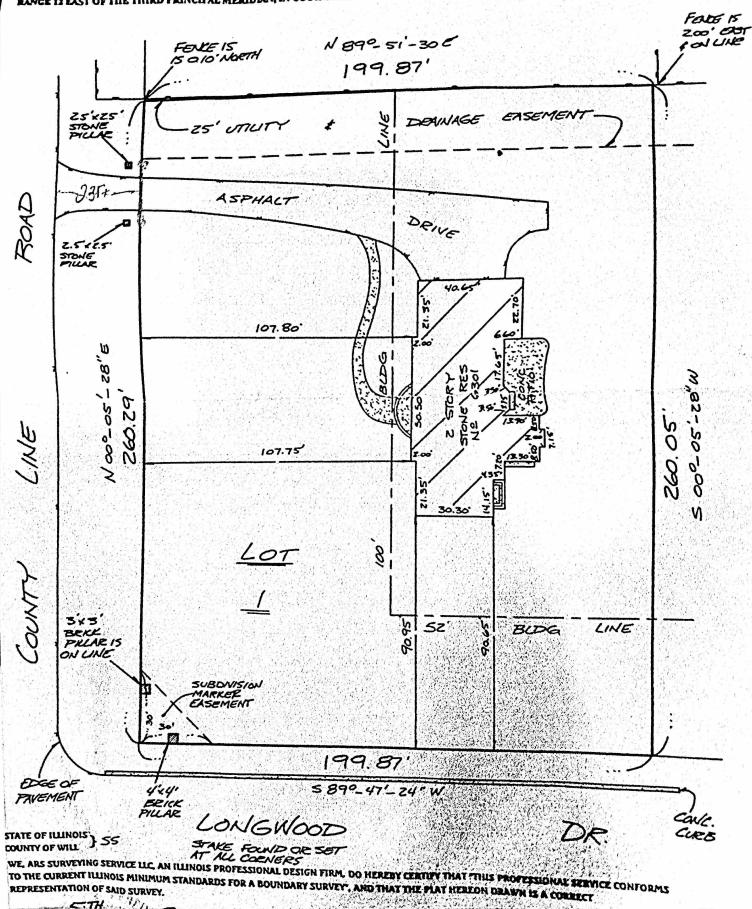
FAX:630 226-9234

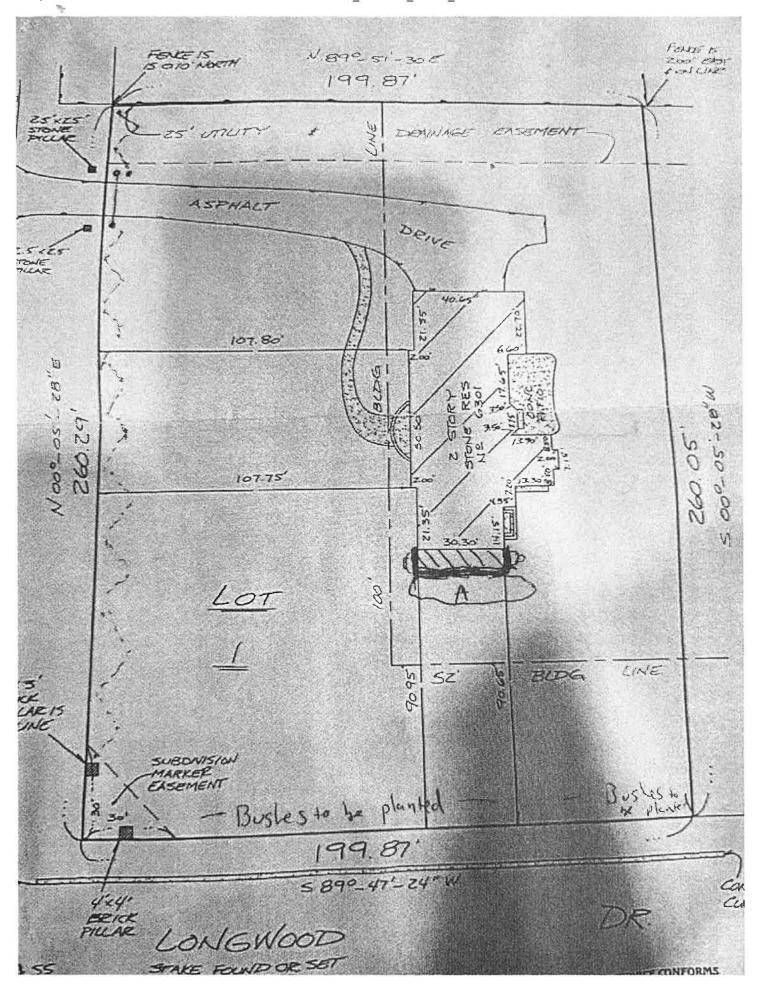
SCALE 1'- 30'

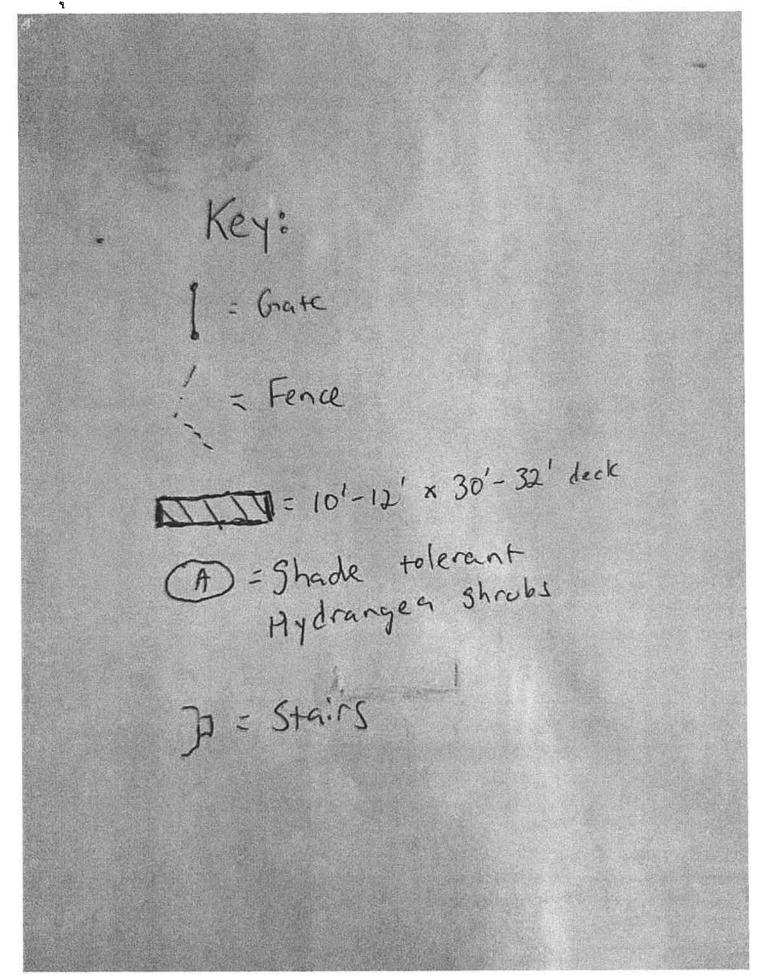
-MUL -

PLAT OF SURVEY

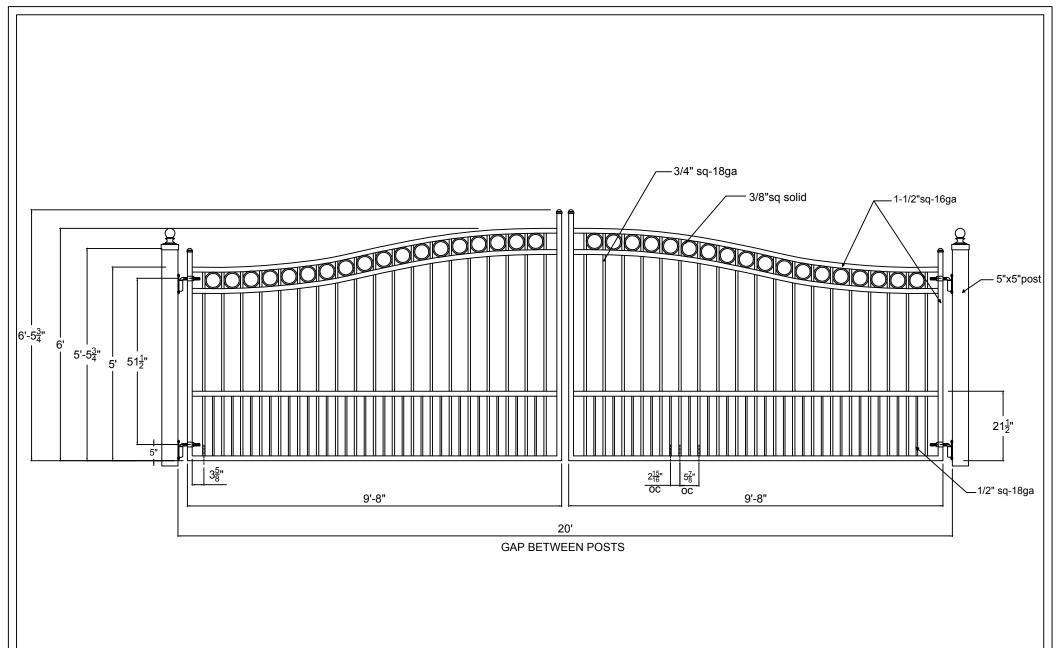
LOT 1 IN MACDIARMID AND PALUMBO'S "LONGWOOD", BEING A RESUBDIVISION OF LOT 3 IN EASTVIEW ACRES SUBDIVISION OF SECTION 18, AND LOT 1 IN VICKERY'S MAYBROOK ACRES IN SECTION 19, TOGETHER WITH VACATED GIRD STREET ADJACENT TO SAID LOTS, IN TOWNSHIP 38 NORTH, BANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.











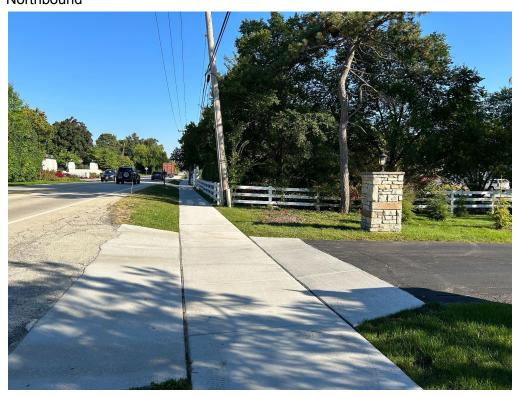
AMAZING GATES

Amazing

SONO-BP-20 SONOMA BI-PARTING SWING DRIVE GATE 20' GAP WIDTH X 6'- 5-3/4"HIGH

	Descripton		
	CUSTOM HYDE PARK BI-PARTING DRIVEWAY GATE; OPENING BETWEEN POSTS 20' WIDE X 5'6" HIGH WITH BLACK POWDER COAT FINISH - SMOOTH TOP NO SPEAR POINTS		
	DRIVE GATE JBOLT HINGES WITH MOUNTING PLATE (PAIR)		
	5" X 5" X 8'2" HINGE POST FOR DRIVE GATES - GALVANIZED, PC BLACK		
DISCOUNT 8	BALL CAP FOR 5" POST AMAZING GATES AG-900HD OPERATOR WITH METAL CO ON-OFF SWITCH, 2 WARNING RECEIVER AND 2 TRANSMIT OCTOBER DISCOUNT GATEMASTER WIRELESS 2 CI	NTROL BOX, I SIGNS, RADIO IERS	

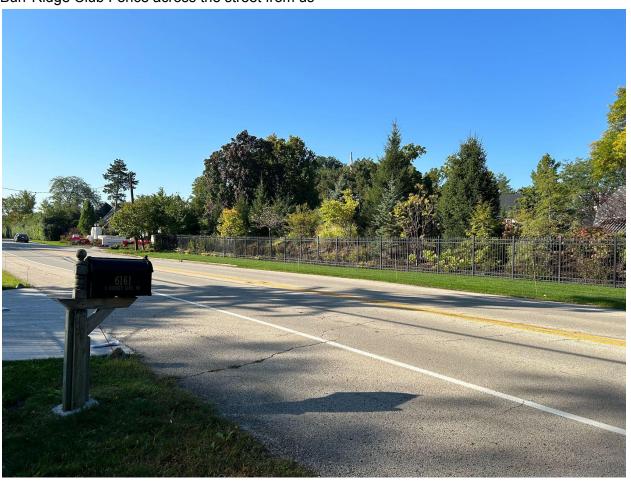
View from our home 6301 Northbound



Southbound



Burr Ridge Club Fence across the street from us



6191 County Line neighbor immediately to the north of us



6161 County Line - neighbor two doors to the north of us





6116 County Line #1 -Similarly situated house- granted variance with two gates, one for each street of exposure



6161 County Line gate #2



New Construction on County Line south of our home and north of Plainfield Rd



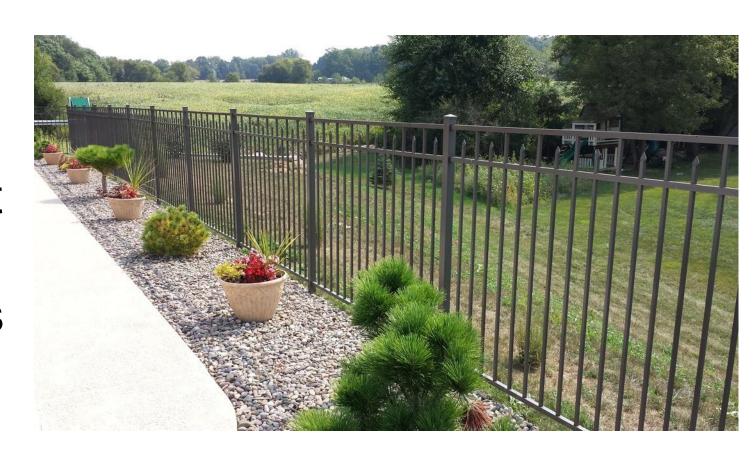


Zaffar 6301 S County Line Rd

Revised gate and fence design slides to be used for discussion during the next meeting.

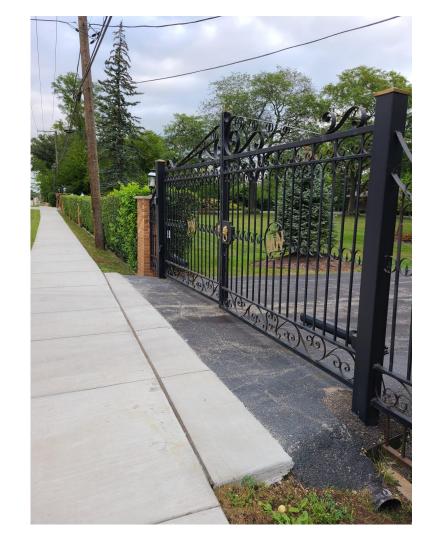
Fence material

5' height No impalers

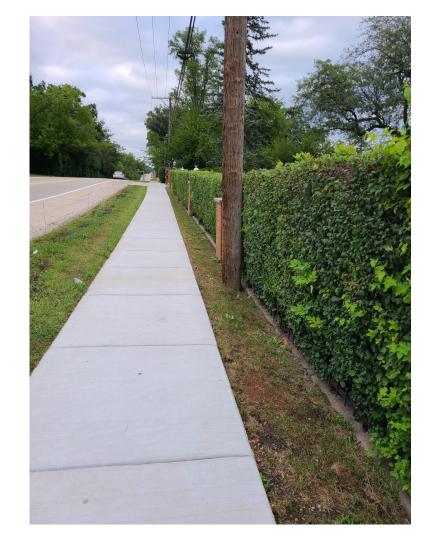


Existing neighbor 6116 S County Line Rd (two identical gates)

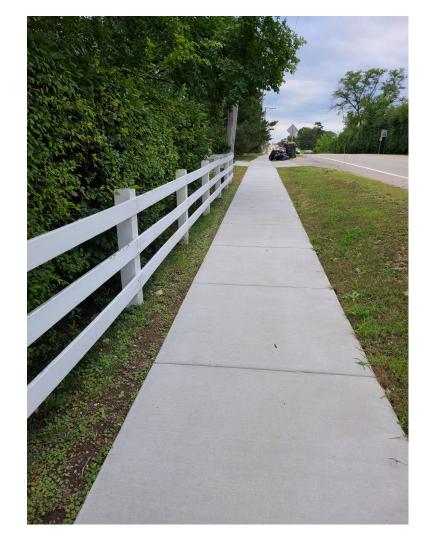
Over 7' base height



6116 S County Line Rd Wrought iron fence with entangled hedges



Neighbor #2 Fence



Neighbor #2 gate Over 8' base height, 9-10' at center



Neighbor's fencing adjacent to new sidewalk in the right of way

Our goal: have a similarly situated barrier for continuity.



6301 S County Line (our property) View of right of way as of 9/7/2023

Removed dead or dying trees that was a clear eyesore to all who passed by.











Current stone pillar height: 7'



Original proposed fencing setback

23' feet from County Line Rd



Original proposed setback 23' feet from County Line Rd



23' from road

30' from road —

35' from road ___



30' from "easement"



View of relative gate locations compared to adjacent properties.

The variation for the gate setback was unanimously denied 7/17. - JF



Number of single family homes on County Line Rd between Woodgate (6200 County Line Rd) and 55: 9

(All other properties are located in a subdivision and have their own subdivision fences)

6116: Gate, fence

6161: Gate, hedge 6191: gate, fence

6301: (our property)

6333: n/a

6330: gate, new trees

6503: gate, trees

6545: gate, fence

6547: gate, fence

Percentage of homes with gates north of I-55 on County Line Rd: 78%



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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

Street Address of Subject Property:

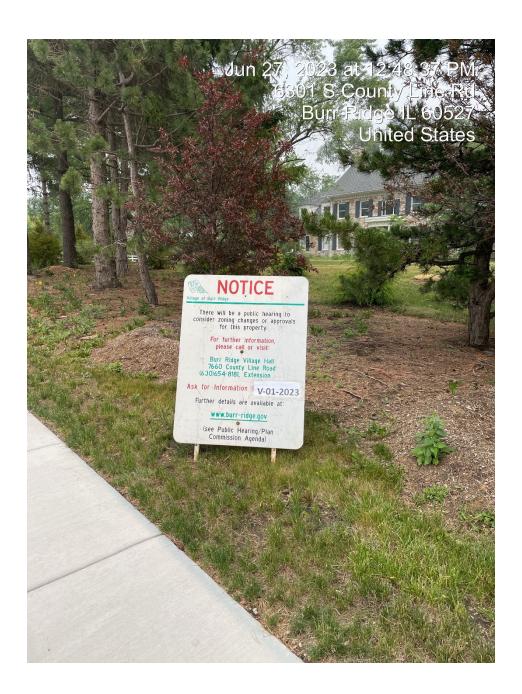
6301 South County Line Road, Burr Ridge IL

Property Owner or Petitioner:

Rey Zaffar and Haley Zaffar

(Print Name)









MAYOR
GARY GRASSO
VILLAGE CLERK
SUE SCHAUS
VILLAGE
ADMINISTRATOR
EVAN WALTER

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on Monday, July 17, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider requests by Rey and Haley Zaffar for four (4) variations from Zoning Ordinance Section IV.I to permit a deck in the front yard, a driveway gate on a parcel less than two acres in lot area, a driveway gate exceeding 6 ft. in height, and a driveway gate within the minimum 30 ft. corner side yard setback; and a variation from Zoning Ordinance Section IV.J to permit a fence in the corner side yard setback. *The petitioner seeks to build a driveway gate and fence along County Line Rd.* and build a deck on the south side of the property. The petition number and address of this petition is <u>V-01-2023</u>: 6301 S. County Line Rd. and the Permanent Real Estate Index Number is <u>18-18-307-001-0000</u>.

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, July 11, 2023. All public comment may be emailed to Community Development Director Janine Farrell (jfarrell@burr-ridge.gov) or mailed to Ms. Farrell's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

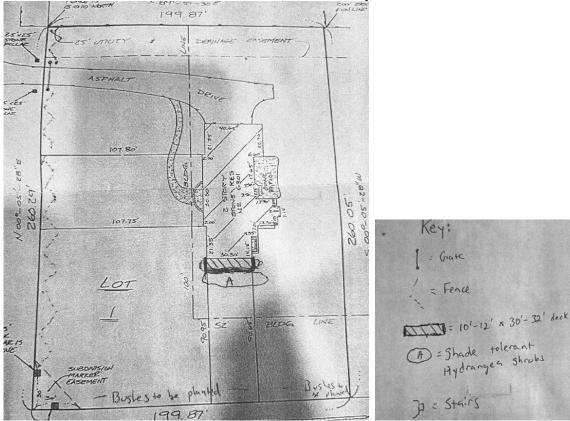
BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site outlined in red, 6301 S. County Line Rd.



Proposed site plan illustrating the location of the gate and fence along County Line Rd. and the deck on the south side of the property.

Additional information is posted on the Village's website in the link below:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The July 17, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/agendas minutes.php

304 BURR RIDGE CLUB DRIVE	ARISTOTLE HALIKIAS	AUVEEK BASU
304 BURR RIDGE CLB	2221 CAMDEN CT #200	9 LONGWOOD DR
BURR RIDGE, IL 60527	OAK BROOK, IL 60523	BURR RIDGE, IL 60527
BENISH, ELLEN	BIRCK, CHRISTOPHER & C	BOSSY, DEBORAH J
301 BURR RIDGE CLUB	1564 MARQUETTE AVE	1103 BURR RIDGE CLUB
BURR RIDGE, IL 60527	NAPERVILLE, IL 60565	BURR RIDGE, IL 60527
BRENNAN, JOHN L 1601 BURR RIDGE CLB BURR RIDGE, IL 60527	Burr Ridge Club HOA c/o Dennis Regan 501 Burr Ridge Club Drive BURR RIDGE, IL 60527	Burr Ridge Meadows HOA c/o Richard K. Morley 69 Tomlin Circle BURR RIDGE, IL 60527
CABERNET COURT SUB HOA c/o MARINA GOMOPOULUS 77 CABERNET CT BURR RIDGE, IL 60527	CANTIN, PAULINE A 86 S CABERNET CT BURR RIDGE, IL 60527	CATALANO, CHRIS & MARY 1602 BURR RIDGE CLUB BURR RIDGE, IL 60527
CHICAGO TITLE 8002388242	CHRIS RIMBOS	CHUNG WU
202 BURR RIDGE CLUB	6402 PINECREST DR	2 LONGWOOD DR
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
CIMALA, R & E MCLAUGHLIN	CONNOR, DAVID & CHRISTINE	COX, JOHN L & MARY JO
1501 BURR RIDGE CLUB	89 S CABERNET CT	1207 BURR RIDGE CLUB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
DAVID SCHMIEGE	DELANEY, MICHAEL M	ESLER, CHARLES & MARTHA
117 TOMLIN CR	1502 BURR RIDGE CLB	1102 BURR RIDGE CLB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
FU, MEIMEI	GARIBOTTI, JEANNEMARIE	GIBBONS, MICHAEL & ERIN
1604 BURR RIDGE CLUB	1204 BURR RIDGE CLUB	6330 COUNTYLINE RD
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
GOMOPOULOS, PETER & MARINA	GRAYHECK TR, NANCY	GREENSPON, STEVEN B
77 S CABERNET CT	103 BURR RIDGE CLUB	6307 S ELM ST
BURR RIDGE, IL 60527	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
GROOT, LAWRENCE A & DAWN	HAASE, DALE & LESLYE	HANNA & GLORIA WAKIM
1232 ORANGE CT	104 BURR RIDGE CLUB	6333 S COUNTY LINE RD
MARCO ISLAND, FL 34145	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527

HARDEK, ANN MARIE TR	HAYES JR TR, JAMES D	HIGGINS, SARAH
105 BURR RIDGE CLUB	68 S CABERNET CT	1206 BURR RIDGE DR
BURR RIDGE, IL 60521	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
HILL, GENE R TRUST 111 W MONROE ST APT. 12 W CHICAGO, IL 60603	IA Y SABY TRUST AGREEM PO BOX 7075 VILLA PARK, IL 60181	INTER CONTL BURR RIDGE 2221 CAMDEN CT #200 OAK BROOK, IL 60523
JACQUELINE LAASE PARRI	JOHN GILMORE	JOHN L PIETRZAK
6191 S COUNTY LINE RD	8 LONGWOOD DR	7 LONGWOOD DR
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
JOHNSTON, JULIE N	JOSEPH & MARY MULLEN	KALBER, BETTY TR
1405 BURR RIDGE CLB	101 TOMLIN CIRCLE	302 BURR RIDGE CLUB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
KASSAR, AMER	KEVIN CAPLIS	KING BRUWAERT WOODS HOA
41 S CABERNET CT	125 TOMLIN CIRCLE	6101 S COUNTY LINE RD
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
LEMBO, MICHAEL & REBECCA	LIND, DAVID R	LINDA G MEEHAN
1203 BURR RIDGE CLB	1402 BURR RIDGE CLUB	6401 COUNTY LINE RD
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
LINN, GORDON & JUDITH	LIU, CHUANBO & XIAOLIAN	LUKE MASSERY & ALICIA
1503 BURR RIDGE CLB	6 WOODGATE DR	109 TOMLIN CIR
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
MACRIE, ROBERT & SARI	MALLOY, PATRICIA A	MALONEY, EDWARD&ELIZABETH
1404 BURR RIDGE CLB	1205 BURR RIDGE CLUB	102 BURR RIDGE CLUB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
MARIA M REDONDO	MATTHEW WALSH	MILLER, MARCIA L
5 LONGWOOD DR	11820 PLAINFIELD RD	101 BURR RIDGE CLUB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
MOTTL, GLEN J 6309 ELM ST BURR RIDGE, IL 60521	NATHAN BROWN 4 LONGWOOD DR BURR RIDGE, IL 60527	NORTHERN TRUST 50 S LASALLE ST APT. FL 3RD CHICAGO, IL 60603

PATRICIA HALIKIAS PAUL NAFFAH REGAN, JEAN H 2221 CAMDEN CT #200 6161 COUNTY LINE RD **321 S ELM ST** OAK BROOK, IL 60523 BURR RIDGE, IL 60527 HINSDALE, IL 60521 **ROUMEN GUEORGUIEV** RYAN, JUDITH C S & K KOULERMOS 6 LONGWOOD DR 1101 BURR RIDGE CLUB 85 TOMLIN CIR BURR RIDGE, IL 60527 BURR RIDGE, IL 60521 BURR RIDGE, IL 60527 SINGER, CANDACE S SAMAD, MARWAN SMOTHERS, BRUCE 6116 COUNTY LINE RD 701 BURR RIDGE CLUB 1202 BURR RIDGE CLUB BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 BURR RIDGE, IL 60521 STOUT, ANN T STEFAN, J WILLIAM STEINBARTH, RALPH H 201 BURR RIDGE CLUB 1401 BURR RIDGE CLUB 203 BURR RIDGE CLB BURR RIDGE, IL 60527 HINSDALE, IL 60521 BURR RIDGE, IL 60527 **RESIDENT** THOMAS K MEEHAN VAN VLYMEN, DOUGLAS & C 6401 S COUNTY LINE RD 1106 BURR RIDGE CLUB 6181 COUNTY LINE RD BURR RIDGE, IL BURR RIDGE, IL 60527 BURR RIDGE, IL 60527

WATKA TR, LYNNE 441 N MAIDEN LAGRANGE PARK, IL 60526 WILLIAM E GERWING 3 LONGWOOD DR BURR RIDGE, IL 60527 WITZ, WILLIAM 1403 BURR RIDGE CLB BURR RIDGE, IL 60527

WM J & MARY R KING 93 TOMLIN CR BURR RIDGE, IL 60527

ORDINANCE NO. A-454-4-84

AN ORDINANCE GRANTING VARIATION (DOLEMBA)

WHEREAS, an application has been filed with the Zoning Board of Appeals of the Village of Burr Ridge seeking a variation for certain real estate all as more fully described below; and

WHEREAS, the Zoning Board of Appeals of this Village held a public hearing on the question of granting said variation on September 4, 1984, at the Village offices of this Village, at which hearing all persons present were given an opportunity to be heard; and

WHEREAS, public notice of said hearing was published not more than 30 nor less than 15 days before said hearing in the <u>Hinsdale</u> <u>Doings</u>, a newspaper of general circulation in this Village, no newspaper being published in said Village, all as required by law;

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

Section 1: That the Zoning Board of Appeals has made its report and findings and recommendations and such are adopted by reference as findings of this Board of Trustees as fully as if completely set forth at length herein. All exhibits submitted at the aforesaid public hearing are also incorporated by reference.

Section 2: That this Board of Trustees, after considering the report and recommendations of the Zoning Board of Appeals and other matters properly before it, find, in addition to the findings set forth in Section 1 hereof, as follows:

a. That the property is commonly known as 6116 County



Line Road, Burr Ridge, Illinois, 60521.

- b. That the variation if granted would not alter the essential character of the locality nor deteriorate property values; similar type fences are already located in the same general vicinity on County Line Road.
- c. That the plight of the owner is due to unique circumstances due to its location on the corner of County Line Road and Woodgate Drive and the increased vehicle traffic caused therefrom requiring fencing.
- d. That the conditions upon which the petition for variation is based would not be applicable generally to the other property within the same zoning district.
- e. That adherence to the strict letter of the applicable zoning regulation would impose a hardship upon the owner of the subject real estate due to owner's elderly mother-in-law's need of protection from vehicles using the owner's driveway to cut through his corner lot. The owner's mother-in-law lives with owner and often walks in the yard.
- f. That the property cannot yield a reasonable return if the variation is not granted because of the problems caused by vehicles and dogs going through the property.
- g. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, and will enhance the other neighboring properties in that the materials chosen for the fence to be constructed will enhance the appearance of the property.

h. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Section 3: That a variation for the following described real estate:

Lot 1 in WOODGATE OF BURR RIDGE, being a Subdivision of part of the East 1/2 of the Southeast 1/4 of Section 13, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded December 5, 1972, as Document No. R72-74255, in DuPage County, Illinois.

Said property is commonly referred to as 6116 County Line Road, Burr Ridge, Illinois.

be and is hereby granted from the requirements of Section IV-I-10 of the Burr Ridge Zoning Ordinance, to permit construction of an open fence six feet in height with gate centers graduating to seven feet rather than the required five feet maximum height of an open fence.

Section 4: That the grant of this variation be and is hereby conditioned upon the owner's commitment to complete said fence within 60 days from the time of the issuance of the building permit for the fence, and that construction thereof shall be done by a professional fence company.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as

required by law. The Village Clerk is hereby directed and ordered								
to publish this Ordinance in pamphlet form.								
PASSED this 24th day of September , 1984, by the								
following roll call vote:								
AYES: 6 - Trustees Blahnik, Zucek, Murray, Polaski, Ahlgren & Irmen								
NAYS: 0 - None								
ABSENT: 0 - None								
APPROVED this 24th day of September , 1984, by the								
President of the Village of Burr Ridge.								
5.0001.0								

ATTEST:

ORDINANCE NO. <u>A-454-16-93</u>

AN ORDINANCE GRANTING VARIATIONS (SCHMIDT - 6401 COUNTY LINE ROAD)

WHEREAS, an application has been filed with the Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, seeking certain variations for certain real estate, all as more fully described below; and

WHEREAS, the Zoning Board of Appeals of this Village held a public hearing on the question of granting said variations on September 7, 1993, at the Village Hall of this Village, at which time all persons desiring to be hearing were given the opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than 30 nor less than 15 days prior to said public hearing in the <u>Burr Ridge Doings</u>, a newspaper of general circulation in this Village, their being no newspaper published in this Village, all as required by law;

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

Section 1: That the Zoning Board of Appeals has made its report, including its findings and recommendations, to this President and Board of Trustees, which report and findings are herein incorporated by reference as findings of this Board of Trustees. All exhibits submitted at the public hearing of the Zoning Board of Appeals are also incorporated by reference and adopted by this Board of Trustees.

<u>Section 2</u>: That this Board of Trustees, after considering the report and recommendations of the Zoning Board of Appeals and other matters properly before it, in addition to the findings set forth in Section 1 finds as follows:

- a. That the Petitioner for the variation for and Owner of the Subject Property located at 6401 County Line Road, Burr Ridge, Illinois, is John Schmidt (hereinafter "Petitioner"). The Petitioner requests the following variations for the Subject Property:
 - i. a variation to permit a fence to be located forward of the rear wall of the principal building rather than behind the rear wall of the principal building as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
 - ii. a variation to permit a fence to be located in the front and corner side yard abutting the west and south property lines (Plainfield and County Line Roads), rather than fences not extending nearer to the corner side lot line than the corner side yard line as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
 - iii. a variation to permit a portion of the fence to be a six foot, solid cedar fence, rather than a five foot, fifty percent open fence as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance; and
 - iv. a variation to permit a portion of the fence to include chain link, whereas Section IV.I.4 of the Burr Ridge Zoning Ordinance prohibits chain link fences.

The requested variations would allow the property to remain protected from the increased elevations of Plainfield and County Line Roads.

- b. That the plight of the Petitioner is due to unique circumstances. The Subject Property is located at the intersection of Plainfield and County Line Roads, which intersection has been improved by the Cook County Highway Department. The improvements by the County Highway Department have raised the level of the highway to approximately 5 feet above the level of the Subject Property. This highway construction has also removed the vegetative screen previously located in the right-of-way which the Petitioner relied upon to screen the house from traffic. Further, the split rail and split rail and chain link fence have existed in a similar location for a number of years. The improvements to the rights-of-way required this existing fencing to be relocated further into the Petitioner's property.
- of the locality. Petitioner represented that there are other six foot solid fences within the surrounding neighborhood. Petitioner further noted that the fence will extend only four to four and one-half feet above the surface of the improved rights-of-way of Plainfield and County Line Roads and, therefore, will not have any impact upon the surrounding properties.

FAS 09/23/93

- d. That denial of the requested variation would be a hardship to the Petitioner since the vehicles on Plainfield and County Line Roads emit noxious odors which settle on the property. Also, Petitioner has lost certain of the privacy the Subject Property enjoyed; due to the elevation of the roadways and removal of the existing vegetation, motorists can look down onto the Subject Property. Also, Petitioner is subject to the intrusion of lights from vehicular traffic as well as dust and dirt created by the traffic.
- e. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located since the proposed fence will be approximately four to four and one-half feet above the grade of the roadways, thus negating any effect the fence may have on surrounding property owners.
- f. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood since this is a 5 acre property with the proposed fence to be located along the two property lines adjacent to public roadways.

Section 3: That the following variations be and are hereby
granted:

- a variation to permit a fence to be located forward of the rear wall of the principal building rather than behind the rear wall of the principal building as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
- a variation to permit a fence to be located in the front and corner side yard abutting the west and south property lines (Plainfield and County Line Roads), rather than fences not extending nearer to the corner side lot line than the corner side yard line as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
- 3. a variation to permit a portion of the fence to be a six foot, solid cedar fence, rather than a five foot, fifty percent open fence as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance; and
- 4. a variation to permit a portion of the fence to include chain link, whereas Section IV.I.4 of the Burr Ridge Zoning Ordinance prohibits chain link fences.

said subject real estate is legally described as follows:

LOT 2 IN VICKERY MAYBROOK ACRES, A SUBDIVISION OF THE WEST 705 FEET OF THE NORTHWEST QUARTER OF SECTION 19,

FAS 09/23/93

TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF PLAINFIELD ROAD IN COOK COUNTY, ILLINOIS.

Said property is commonly known as 6401 County Line Road, Burr Ridge, Illinois (Schmidt property).

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this _______, 1993, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Irmen, Santacaterina, Jacobs, McGirr, Cizek & Ringewald

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on this

27th day of September , 1993.

Village President

ATTEST:

Village Clerk

PC\B:\ORD\SCHMIDT.VAR

ORDINANCE NO. A-834-07-13

AN ORDINANCE GRANTING A VARIATION FROM THE VILLAGE OF BURR RIDGE ZONING ORDINANCE FOR A DRIVEWAY IN THE REAR YARD AND ACROSS THE REAR LOT LINE OF A THROUGH LOT AND FOR A DRIVEWAY GATE IN A REAR YARD AND LESS THAN 30 FEET FROM THE REAR LOT LINE

(V-01-2013: 6545 County Line Road - Becker)

WHEREAS, an application for a variation from the Village of Burr Ridge Zoning Ordinance for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Zoning Board of Appeals of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Zoning Board of Appeals of this Village held a public hearing on the question of granting said zoning variation on March 18, 2013, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Zoning Board of Appeals has made its report on the request for zoning variations, including its findings and recommendations, to this President and Board of Trustees; and this President and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

<u>Section 2</u>: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Zoning Board of Appeals and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

A. That the Petitioner for the variation for the property located at 6545 County Line Road, Burr Ridge, Illinois, is Bob and Betty Becker (hereinafter "Petitioners"). The Petitioners request a variation

from Section IV.G.2 of the Burr Ridge Zoning Ordinance to permit a driveway in the rear yard and across the rear lot line of a through lot (i.e. a driveway for access to Shady Lane) and a variation from Section IV.I.12 of the Zoning Ordinance to permit a residential driveway gate in a rear yard and less than 30 feet from the rear lot line.

- B. That the need for the driveway across the rear lot line is due to unique circumstances because the property consists of two consolidated lots and access to the rear of the lot would require the construction of a driveway exceeding 700 feet in length and cause the removal of a significant number of trees. The property is also unique in that the rear lot abuts a local street and not an arterial street.
- C. That the need for the driveway gate in a rear yard is due to unique circumstances because the area is secluded and security problems are likely to occur without a gate.
- D. That if the variations are not approved the petitioner would suffer a hardship because the value of the property would be significantly reduced due to the lack of secure access to the rear of the lot or due to the number of trees that would have to be removed for the driveway to be extended from County Line Road.

Section 3: That variations from Section IV.G.2 of the Burr Ridge Zoning Ordinance to permit a driveway in the rear yard and across the rear lot line of a through lot (i.e. a driveway for access to Shady Lane) and a variation from Section IV.I.12 of the Zoning Ordinance to permit a residential driveway gate in a rear yard and less than 30 feet from the rear lot line are hereby granted for the property commonly known as 6545 County Line Road and identified with the Permanent Real Estate Index

Number of 18-19-103-051.

Section 4: That the variation is subject to compliance with the submitted plans attached hereto as Exhibit A.

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

PASSED this 22^{nd} day of April, 2013, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 4 - Trustees Grela, Franzese, Paveza,

Nuza

ABSENT: 2 - Trustees Wott, Manieri

None

APPROVED by the President of the Village of Burr Ridge on this $22^{\rm nd}$ day of April, 2013.

Acting Village President

ATTEST: ~

NAYS:

illage Clerk

ORDINANCE NO. A-834-25-13

AN ORDINANCE DENYING A FENCE VARIATION FROM THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

(Z-11-2013: 6501 County Line Road - Lindell)

WHEREAS, an application for a variation from the Village of Burr Ridge Zoning Ordinance for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Zoning Board of Appeals of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Zoning Board of Appeals of this Village held a public hearing on the question of granting said zoning variation on July 1 and August 19, 2013, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Zoning Board of Appeals has made its report on the request for zoning

variations, including its findings and recommendations, to this President and Board of Trustees; and this President and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

<u>Section 2</u>: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Zoning Board of Appeals and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

A. That the Petitioner for the variation for the property located at 6501 County Line Road, Burr Ridge, Illinois, is Mr. Dennis Lindell (hereinafter "Petitioner"). The Petitioner requests a variation

from Section IV.J of the Burr Ridge Zoning Ordinance to permit the construction of a 5 foot tall fence in the front and the corner side yards of an existing residential property rather than the requirement that fences be located in the rear yard.

- B. That the petitioner failed to show any conditions to the property that would create a hardship and prevent the reasonable use of the property without the variation.
- C. That the property has and may continue to be used in a manner consistent with other residential properties in the neighborhood and throughout the Village. Relief from the Zoning Ordinance is not necessary for the property to yield a reasonable return to the property owner.

Section 3: That a variation from Section IV.J of the Burr Ridge Zoning Ordinance to permit the construction of a 5 foot tall fence in the front and the corner side yards of an existing residential property rather than the requirement that fences be located in the rear yard is hereby denied for the property commonly known as 6501 County Line Road and identified with the Permanent Real Estate Index Numbers of 18-19-103-076 and 18-19-103-077.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 9^{th} day of September, 2013, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

Trustees Bolos, Ruzak, Franzese, AYES: Paveza, Grasso, Manieri

NAYS: None

ABSENT: None

APPROVED by the President of the Village of Burr Ridge on this 9^{th} day of September, 2013.

-4-

ORDINANCE NO. A-834-26-13

AN ORDINANCE DENYING AN AMENDMENT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE REGARDING FRONT YARD FENCES

(Z-11-2013: 6501 County Line Road - Lindell)

WHEREAS, an application for an amendment to the Village of Burr Ridge Zoning Ordinance has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said zoning amendment on July 1 and August 19, 2013, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

whereas, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the <u>Suburban Life</u>, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a zoning amendment, including its findings and recommendations, to this President and Board of Trustees; and this President and Board of Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the Petitioner for the amendment is Mr. Dennis Lindell (hereinafter "Petitioner"). The Petitioner requests an amendment to Section IV.J of the Burr Ridge Zoning Ordinance to allow fences within the front and corner side yards on residential properties exceeding 2 acres and with frontage on two arterial streets.
- B. That the amendment is not consistent with the intent and purpose of the Zoning Ordinance.

Section 3: That an amendment to Section IV.J of the Burr Ridge Zoning Ordinance to allow fences within the front and

corner side yards on residential properties exceeding 2 acres and with frontage on two arterial streets is hereby denied.

<u>Section 4</u>: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 9th day of September, 2013, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Bolos, Ruzak, Franzese, Paveza, Grasso, Manieri

NAYS: 0 - None

ABSENT: 0 - None

 ${\tt APPROVED}$ by the President of the Village of Burr Ridge on this $9^{\rm th}$ day of September, 2013.

illage President

ATTEST:

Yllage Clerk

ORDINANCE NO. A-834-33-11

AN ORDINANCE GRANTING A VARIATION FROM THE VILLAGE OF BURR RIDGE ZONING ORDINANCE TO PERMIT A SALT PROTECTION FENCE/BARRIER IN A FRONT YARD

(V-05-2011: 6545 County Line Road - Becker)

WHEREAS, an application for a variation from the Village of Burr Ridge Zoning Ordinance for certain real estate has been filed with the Village Clerk of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Zoning Board of Appeals of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Zoning Board of Appeals of this Village held a public hearing on the question of granting said zoning variation on November 17, 2011 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

whereas, the Village of Burr Ridge Zoning Board of Appeals has made its report on the request for zoning variations, including its findings and recommendations, to this President and

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

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

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

<u>Section 2</u>: That this President and Board of Trustees, after considering the report, findings, and recommendations of the Zoning Board of Appeals and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the variation for the property located at 6545 County Line Road, Burr Ridge, Illinois, are Mr. and Mrs. Robert and Betty Becker (hereinafter "Petitioners"). The Petitioners request a variation from Section IV.J of the Burr Ridge Zoning Ordinance to permit a temporary fence in the front yard of a residential property for the purpose of winter time salt protection.
- B. That the plight of the owners is due to unique circumstances because of the location of the property on the heavily traveled five lane portion of County Line Road and its proximity to the intersection of County

Line Road and Plainfield Road. This location results in a large amount of salt spray onto the property.

- C. That because of the location of the property on this section of County Line Road, there is a particular hardship to the owners. The petitioner presented documentation at the hearing indicating substantial salt damage to the front yard landscaping as a result of the salt spray from County Line Road.
- D. That the variation will not alter the essential character of the locality because the petitioner has designed the fence using high quality materials and in a color that will be the least obtrusive.

Section 3: That a variation from Section IV.J of the Burr Ridge Zoning Ordinance to permit a temporary fence in the front yard of a residential property for the purpose of winter time salt protection is hereby granted for the property commonly known as 6545 County Line Road and with the Permanent Real Estate Index Number of: 18-19-103-051.

<u>Section 4</u>: That the variation is subject to compliance with the following conditions:

- A. The fence shall be maintained in good condition at all times with no rips or tears in the wind screen, with the black vinyl coating covering all of the fence posts and chain link material, and with fence posts in a straight and vertical condition at all times.
- B. The fence shall be located adjacent to the front lot line only and within the confines of the private property.
- C. The fence shall not be erected before November 15 of each year and shall be removed before April 1 of each year.

- D. The property owner shall obtain a fence permit prior to construction of the fence each and every year the fence is to be erected.
- E. The fence shall comply with the fence elevation attached hereto as **Exhibit A**.

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

PASSED this 28th day of November, 2011, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Ruzak, Grela, Sodikoff, Paveza, Manieri

NAYS: 1 - Trustee Wott

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on this 28th day of November, 2011.

/illage President

ATTEST:

7illage Clerk

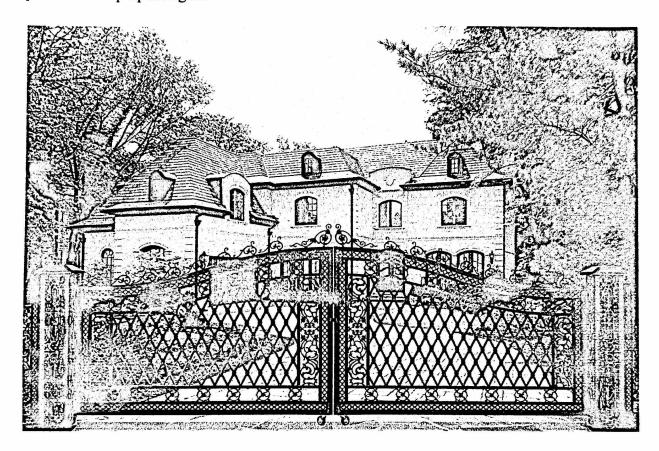
EXHIBIT C

October 8, 2023

Hi Neighbor!

My name is Haley Zaffar and I live at 6301 S County Line Rd with my husband, Rey Zaffar, and our two small children. You might already be aware that we applied for a variance for a driveway gate and fence on our property along County Line Rd based on the signs posted by the village this summer. Our home is in the Longwood Drive subdivision, but uniquely to this subdivision, our driveway faces County Line Rd. Certainly you have approached Longwood Drive from the north, and as you go up the hill County Line Road is flanked with hedges and fences and then our house stands exposed to the main thoroughfare- no trench nor ridge to speak of. The safety and security of our children and our property are the driving force behind this message, and frankly, we did not imagine having to petition our neighbors in this effort- it seems like common sense. Of the homes with driveways on County Line Rd north of I55 in Burr Ridge, 8 have driveway gates, 2 do not, and we are one of those 2. In the space between Woodgate Drive and Longwood Drive, we are one of 4 lots facing County line Rd, 3 of which have driveway gates on their property line, (Burr Ridge Club has rear fencing and an HOA hedge lining the street on their property line as well). For some reasons (listed below), our request to continue the character of the drive from Hinsdale into Burr Ridge is being opposed. Village code states that homes over two acres shall be granted a driveway gate. However, individuals with homes on lots less than two acres can file for a variance (as we have done), and several have received permission to do so. For example, 6116 S County Line Rd (between Woodgate and Longwood) and 6503 S County Line Rd sit on 0.58 acres and 1.26 acres respectively, our lot is 1.19 acres. Both of those homes were granted this variance. The \$2m plus homes being built between our subdivision and Plainfield Road sit on lots our size or smaller and will be undoubtedly requesting gates either as a subdivision or individually. In addition to rejecting the gate, they objected to a gate at the property line, instead insisting on a 30 foot set back into our property- a total of 53 feet off the road. Our property starts 23 feet from County Line Road, more than enough room for a car and well past the sidewalk, and both neighbors north of us have gates right on the sidewalk, and 6116 S County Line has their gate right at their property line (closer than 23 feet). While the 2 homes north of us predate that ordinance, 6116, with 0.58 acres, was granted that variance, it would look silly to have the street lined with fences and hedges to suddenly sink back an excessive 53 feet. Indeed, they have only enforced the 30 foot setback on County Line Rd three times. In our case, the security provided by the gate would be nullified by the setback as our property does not have a ridge or trench in front of it. As such, intruders could simply turn in and drive around the barrier. Below is an image of the gate we proposed to the city. Again, the city objected to it, on grounds that while the sides of the gate are 6 feet tall (the designated limit- we had no idea), the center is just over 7 feet, never mind that the gates immediately to our north are over 8 and 10 feet each. We are not sure why Burr Ridge would not want an attractive gate to match the neighbors' on the drive in from Hinsdale, especially considering that said gate is coming at a greater cost to us, it is in keeping with the character of the drive, and it does not harm anyone.

We humbly ask your support in our efforts to place a gate on our driveway at our property line facing County Line Road. We will pursue a fence as well, but in the event that is denied, we can plant a hedge at a much greater cost for our children's safety- but we can't do that across the driveway. This is a picture of the proposed gate.



If you have nothing against our request seeking a gate, please confirm below by writing your name and address. "I, a resident of the Longwood subdivision, have no issues against the owners of 6301 S County Line Road placing the above gate on their property line."

Thank you for your support!

Address: Name:

4 Ingwood Dr. Burr Ridge, IL 60527 Langwood Dr. Bour Ridge, IL 60527

Kelly Basy 7 Longwood Dr. Burc Ridge IL 60327
MARIA REDO-SO 5 LUNGWOOD DR.
Market Gerwing 3 Longwood Drive
Helene Gerwing 3 Longwood Drive
V



V-07-2023: 6816 Fieldstone Drive (Patel); Variations and Findings of Fact; Requests for a variation from Section VI.F.4 of the Burr Ridge Zoning Ordinance to permit a Floor Area Ratio of .26 instead of the .20 maximum.

HEARING:

November 20, 2023

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Suryakant Patel

PETITIONER STATUS:

Owner

PROPERTY OWNER:

Suryakant Patel

EXISTING ZONING:

R-3 Single-Family Residential

LAND USE PLAN:

Recommends Single-Family Residential

EXISTING LAND USE:

Single-Family Residence

SITE AREA:

 \pm 18,335 sq. ft.

SUBDIVISION:

Fieldstone





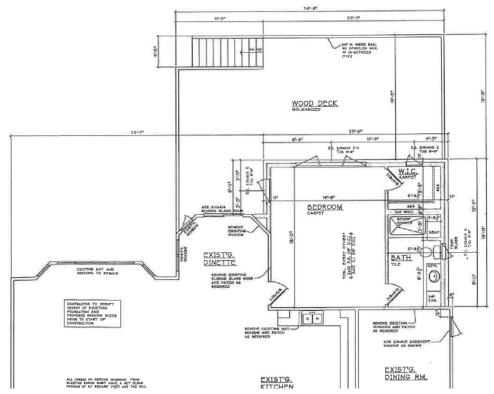
Staff Report and Summary V-07-2023: 6816 Fieldstone Drive (Patel); Variations and Findings of Fact Page 2 of 3

The petitioner is Suryakant Patel, the owner. The petitioner requests a variation from Zoning Ordinance Section VI.F.4, as detailed below. The petitioner is requesting to permit a Floor Area Ratio of 0.26, exceeding the 0.20 maximum regulation. The Fieldstone Drive serves as the front property line.



Aerial of the property with the property lines and yards.

The petitioner seeks to add a 1st floor bedroom to the existing house. The proposed addition is two stories to the rear of the house and added onto the first floor and basement level. An existing deck is in the proposed location for the addition. It appears a new deck is around the proposed addition.



Staff Report and Summary V-07-2023: 6816 Fieldstone Drive (Patel); Variations and Findings of Fact Page 3 of 3

The Zoning Ordinance defines Floor Area Ratio (FAR) as "The floor area of the building or buildings on a lot divided by the area of such lot, or, in the case of planned developments, by the net site area. The "floor area ratio" requirements as set forth under each zoning district shall determine the maximum floor area allowable for the building or buildings." Floor area ratio is determined by dividing the floor area by the gross land area of the lot or parcel. **Variations Requested (existing regulations with the variations detailed in** *red italics*)

- Zoning Ordinance Section VI.F.4:
 - o Floor Area Ratio:
 - Not to exceed 0.20. The petitioner is requesting the Floor Area Ratio be 0.26. The petitioner is already at the maximum 0.20.

Public Hearing History

No zoning action was found on file since the property was placed in its current zoning district classification.

Public Comment

No public comment was received.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of V-07-2023, a request for a variation from Section VI.F.4 of the Burr Ridge Zoning Ordinance to permit a Floor Area Ratio of .26 instead of the .20 maximum, staff recommends the following condition:

1. The addition shall substantially comply with the plans submitted by the petitioners and included as Exhibit A.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations
- Public Notifications

V-07-2023



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): Suryakant Patel
STATUS OF PETITIONER: Owner
PETITIONER'S ADRESS: 6816 Fieldstone Drive
ADDRESS OF SUBJECT PROPERTY: 10816 Fieldstone Drive
PHONE: 708-955-491010
EMAIL: wsbpatel@yahoo.com
PROPERTY OWNER: Suryakant Datel
PROPERTY OWNER'S ADDRESS: 6816 Fieldstone Drive PHONE: 708-955-4966
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment Variation(s)
DESCRIPTION OF REQUEST:
Request to build 1st floor bedroom to existing home
PROPERTY INFORMATION (to be completed by Village staff)
PROPERTY ACREAGE/SQ FOOTAGE: $11,868.25$ EXISTING ZONING: $\Re -3$
EXISTING USE/IMPROVEMENTS: Single-family Residential
SUBDIVISION: Fieldstone
PIN(S) # 093440500 G
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.
10.13.23
Petitioner's Signature Date of Filing

Address:

68110 Fieldstone Prive

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

- a. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out Homeowner can not climb stairs and wishes to remain in current home. The addition is within all setbacks. The variation requested is F.A.R. Existing F.A.R. is 3837. This is already over the max of 31ele7. Asking for an additional 10e4 s.f.
- b. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.

 The cost to build this addition will most likely not yield the cost in a future sale.
- c. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.

The proposed addition is unique to this property since there is no room to build anywhere else on the property.

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

There most likely will not be a financial gain in the future.

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

The hardship is to the owner.

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

The proposed addition will have no impact on others.

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

The addition is in the back and will not change the character of the neighborhood.

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

The addition will not umpair any neighboring homes at all

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

Yes, the addition is consistent with Village codes & ordinances.

Suryakant Patel

6816 Fieldstone Dr.

Burr Ridge, IL 60527

Subject: Variation Letter For Extension to build 1st Floor Bedroom at 6816 Fieldstone Dr., Burr Ridge

Dear Manager of Plan Commission/Zoning Board,

I am writing to you regarding my request to build a first-floor bedroom to my existing home. My building plan and drawings have been approved. However, I was notified that I must request for a variation. I have done this and also wanted to elaborate within this letter my reasons for building a first-floor bedroom.

Unfortunately, due to old age and health conditions, it is very difficult for me to go up and down stairs. My doctor has restricted my use of stairs due to my knee and heart problems. My wife also has issues with her ankles/legs; she randomly gets very severe cramps and swelling which can cause her to immediately stop moving and possibly fall.

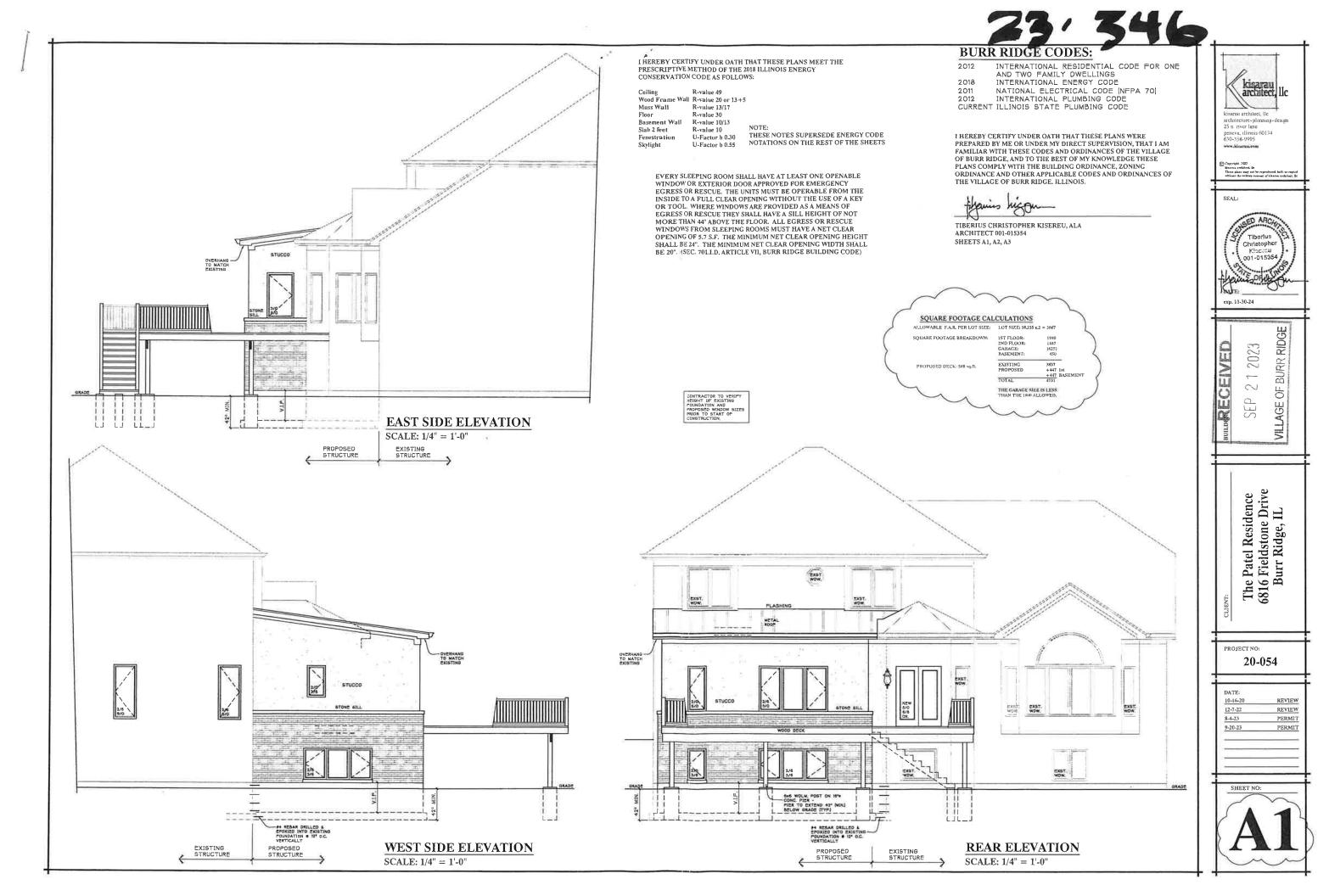
We are original owners that love our house and wish to live here for the rest of our lives. We also love Burr Ridge and do not want to move to a different city which is why I am trying to build a first-floor bedroom extension for our house. I also believe this is the perfect time to get this project done before our health problems get worse. My request is being built in place of our existing deck and will not cause any disturbances or issues to our neighbors. Also, from our property line to the fence is over 50 feet in space, so there is plenty of room and no other houses are built behind my house.

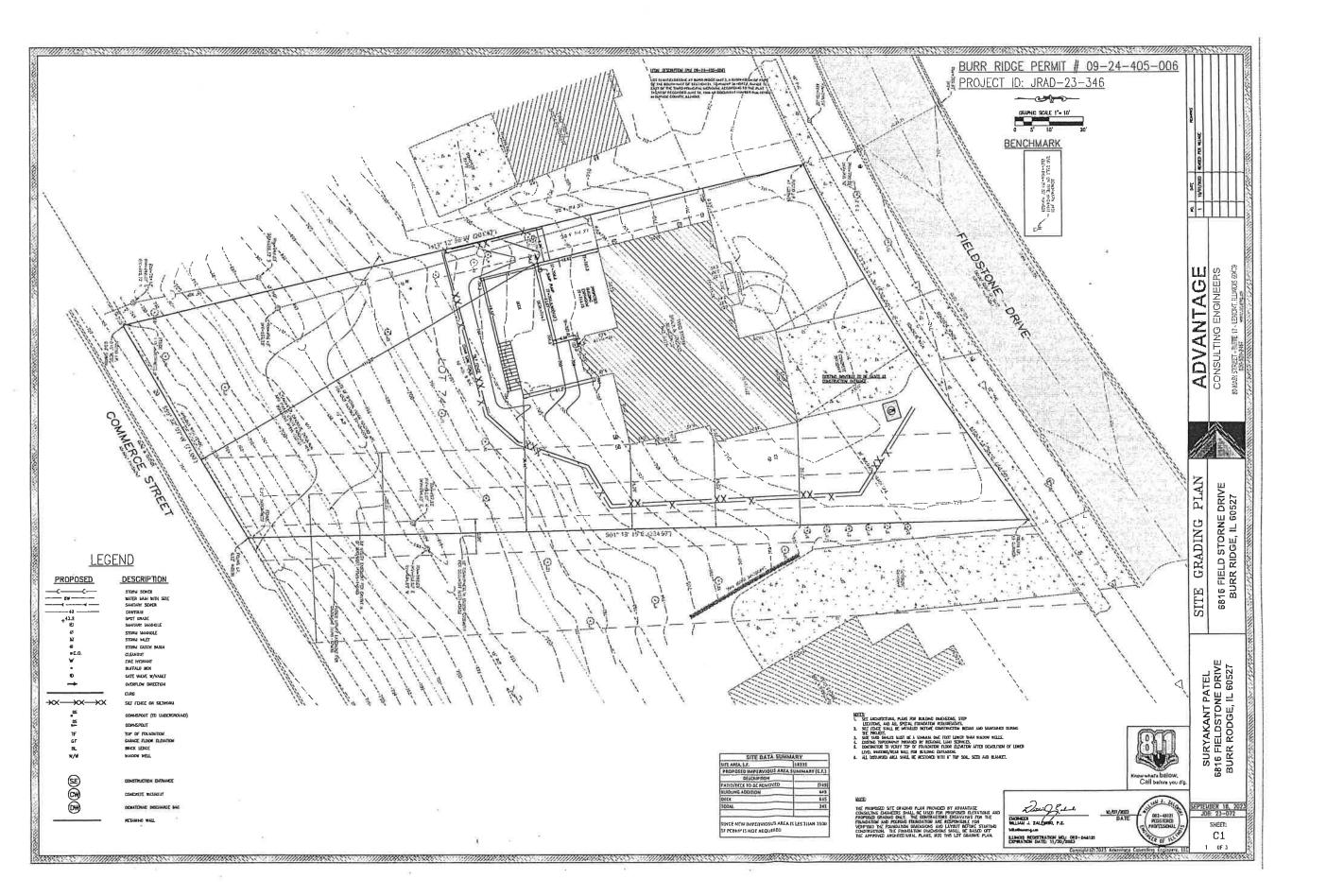
If you could please help us in getting our variation approved, we would be greatly appreciative. If you have any questions/concerns, please feel free to contact me at 708-955-4966.

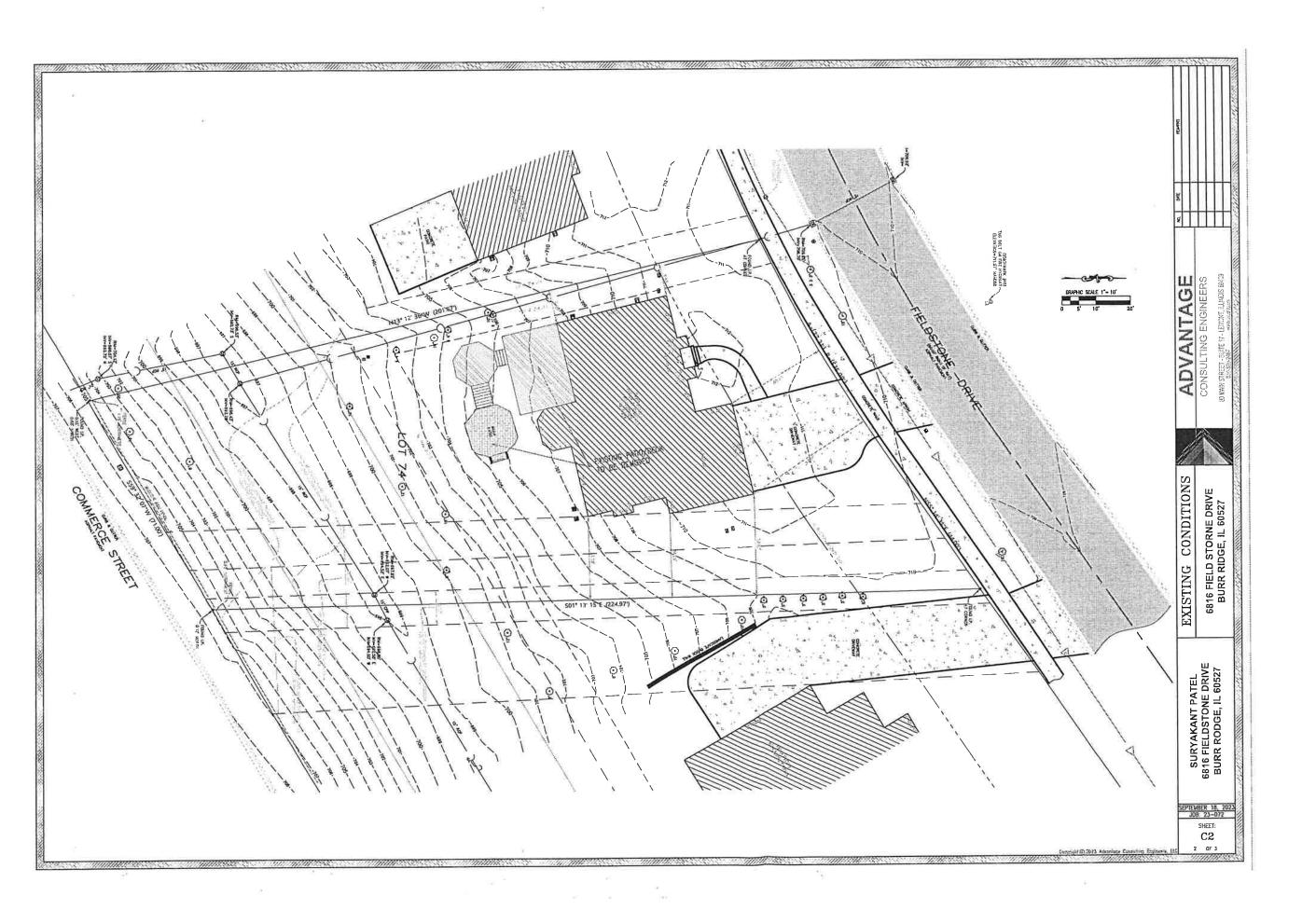
Thank You.

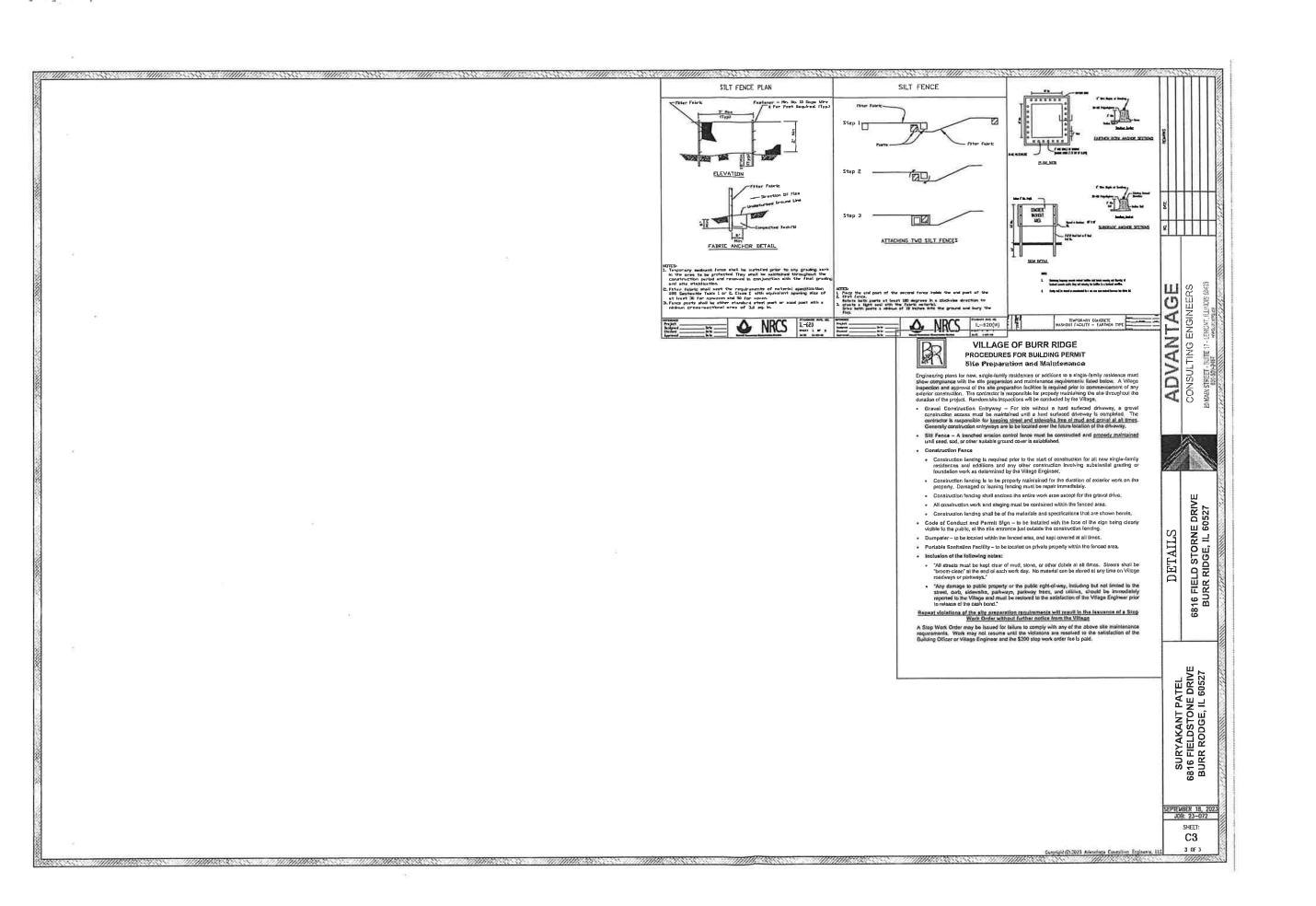
Suryakant Patei

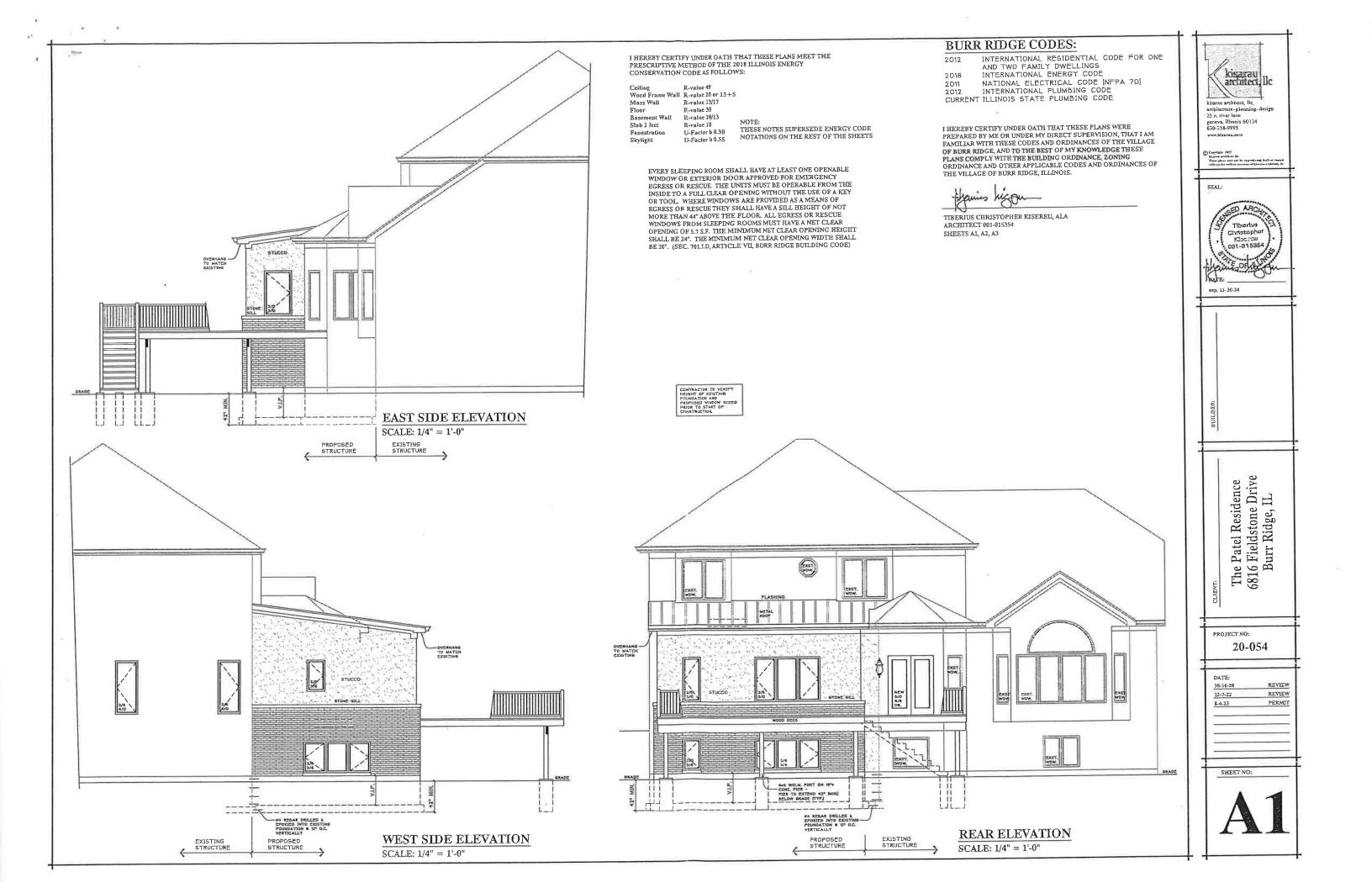
1.	Building Permit #	54/0 B & F Project # 9818108							
2.	Address of Project:	6816 Fieldstone Drive							
3.	Zoning District:	R-3 3a. Special Zoning: N/A							
4a.	. Building Height:	4b. Required Setbacks:	Front	30	Rear50	Left10	Right _10		
		4c. Actual Setbacks:	Front	30.02	Rear112	Left 24.71	Right _10.02		
5a.	Natural grade with v	walk-out 🗍 5b. A	Altered gra	ade to accom	plish walk-out	5c. No walk	-out 🖾		
6a. Basement Floor - Do not include garage area less than 1,000 square feet									
	x	-	-	X	_ =	x	=		
	x	•		х		x	#		
	x			х	_ •	N/A	Total Floor Area		
6b.	First Floor - Do not i	include garage area less tha	an 1,000 so	quare feet					
	36.5 x 12.41	6 = 453.18	_36.5	x 12.5	= 456.25	10.8 x 45	= 486		
	21.535 x 24	= 511.99	4.5	x 10.5	= 47.25	x	*		
	x	=		х		1954.67	Total Floor Area		
6c.	Second Floor								
	33.5 x 12.41	6 = 415.93	24.2	x 16.3	= 394.46	19.2 x 17.2	= 330.24		
	13.5 x 13.2	= 178.2	_6	x 11.2	= 67.2	x	=		
	x		*	X		1386.03	Total Floor Area		
7. Zoning Square Footage: 3340.7									
	Gross Square Footag		78.12	ea ii i(em 50 is i	спескеа				
	Lot Square Footage:		10.12		0 Floor Are	o Dotio /EAD)	900		
	Cost of Construction	T. C.	-		S. FIOOI AIE	a Ratio (FAR):18	203		
	10a. New Constructi	2		(Sq. Ft.)	3340.7	x \$80.00/Sq. Ft. =	\$2 67,256		
	10b. Alterations and			(Sq. Ft.)		x \$60.00/Sq. Ft. ≈	\$		
	10c. Comm/Ind/Multi			(Sq. Ft.)		-	\$		
	10d. Other:			(•4)	: 		Ψ		
11.	Fees:						- NO - 12-		
	11a. Minimum Plan	Review Fee \$							
11b. Plan Review x 65% Burr Rid				\$1125.31		B&F	\$940.49		
11c. Permit Fee Burr Ri			_	\$1731.25		B & F Inspection	\$940.49		
	11d. Engineering S		-	2		S & 1 mapoonon	₩ ₩₩₩₩₩₩₩₩₩₩₩		
	11e. Landscape Re								
	11f. Bond	\$5,000	0.00		Date Received				
		40,00			- SIG I TOUGHTOU				

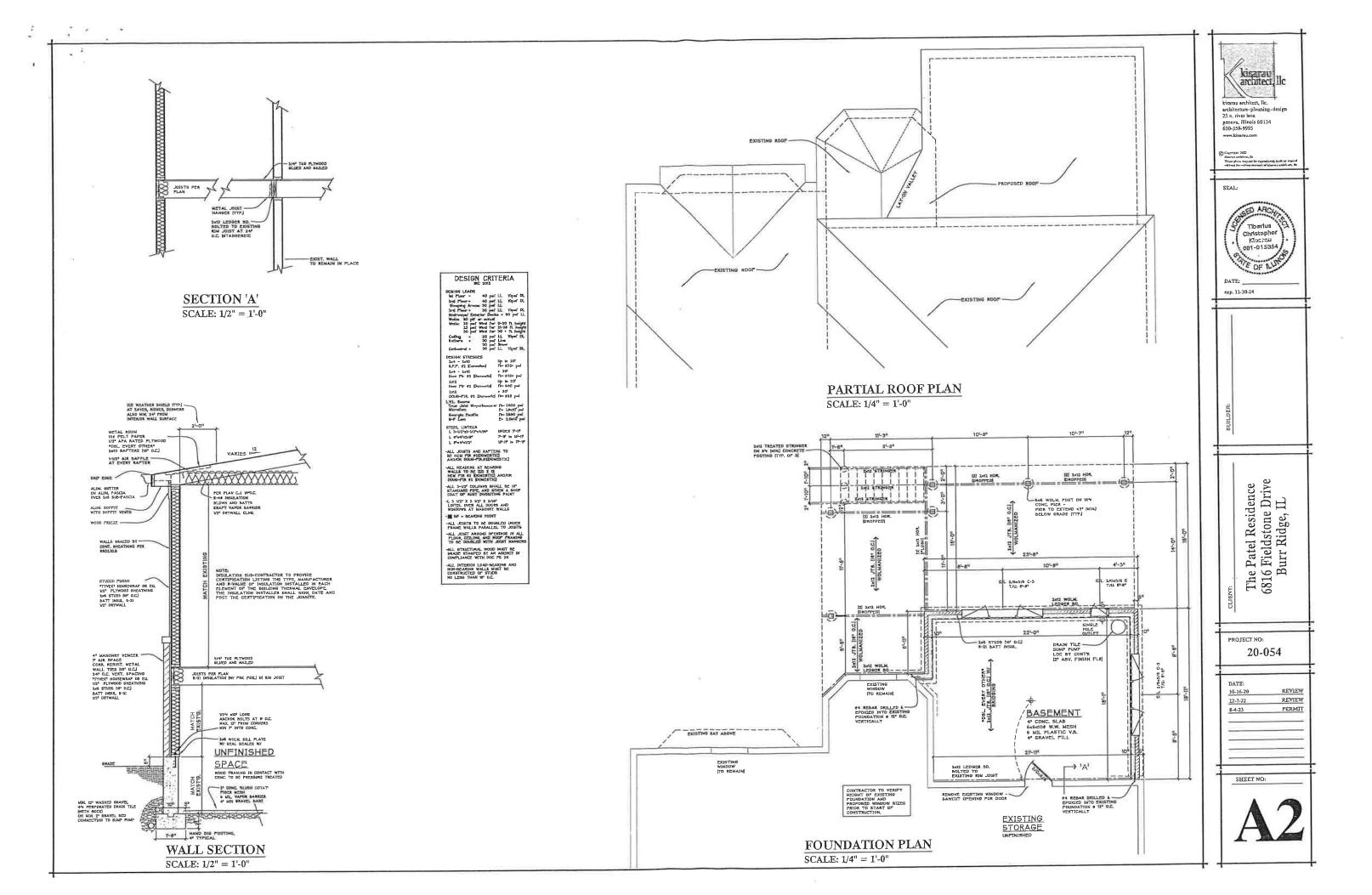


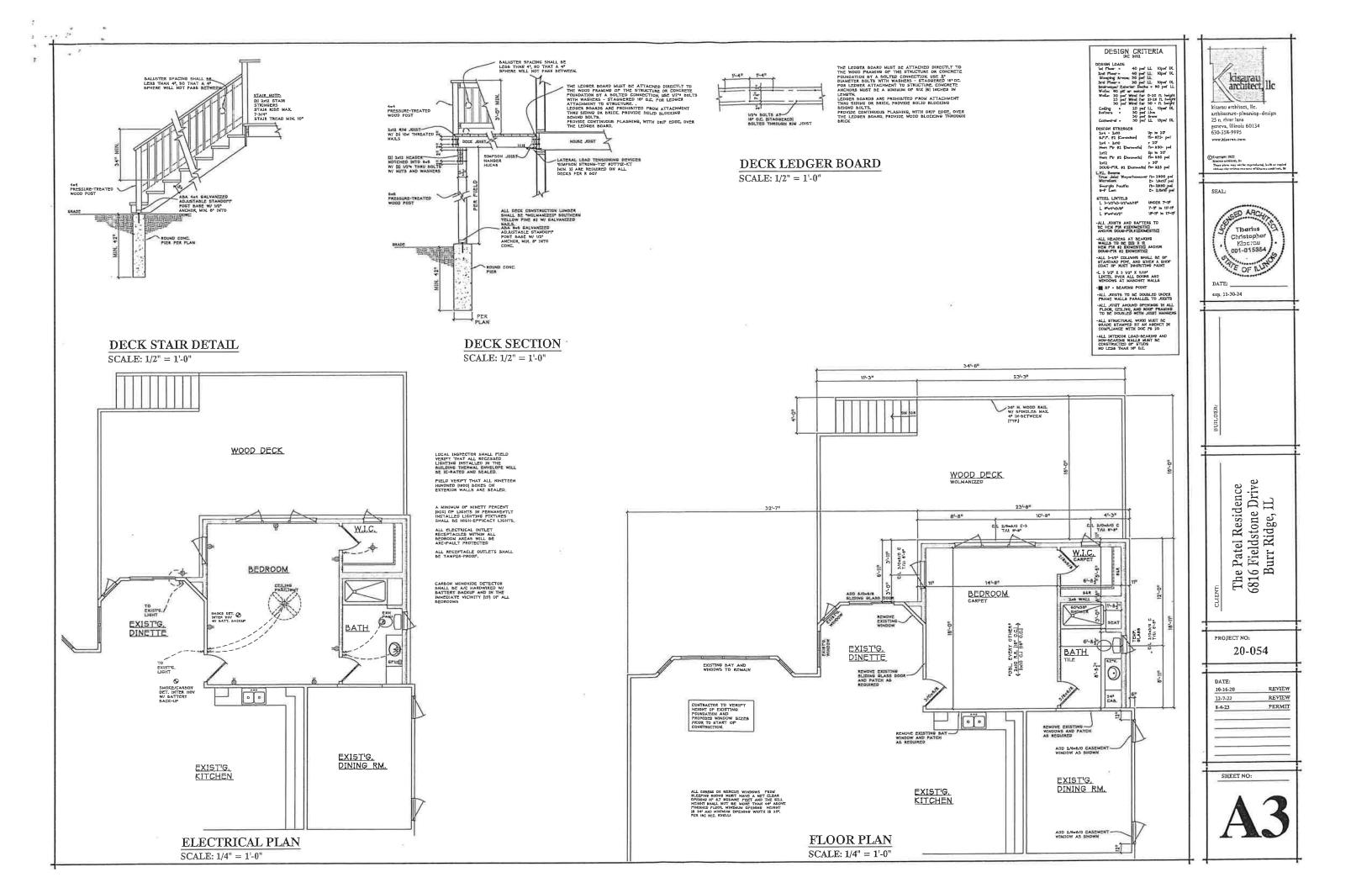














MAYOR
GARY GRASSO
VILLAGE CLERK
SUE SCHAUS
VILLAGE
ADMINISTRATOR
EVAN WALTER

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on Monday, November 20, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Suryakant Patel for a variation from Section VI.F.4 of the Burr Ridge Zoning Ordinance to permit a Floor Area Ratio of .26 instead of the .20 maximum. The petitioner seeks to add a 1st floor bedroom to the existing home. The petition number and address of this petition is **V-07-2023: 6816 Fieldstone Drive.** and the Permanent Real Estate Index Number is **09-24-405-006-0000.**

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 14, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

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

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site is outlined in red



Proposed elevation of the addition.

Additional information is posted on the Village's website in the link below:

https://www.burr-

ridge.gov/government/boards_committees___commissions/plan_commissions___zoning_board_of_appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The November 20, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-

ridge.gov/government/boards_committees___commissions/plan_commissions___zoning_board_of_appeals/agendas___minutes.php

Burr Ridge homepage - Government - Agendas & Minutes - Plan Commission & Zoning Board of Appeals

STATE BANK OF COUNTRYSIDE	PAYNE, RICHARD & DORIS	FALCONE, SCOTT A
190 S LA SALLE APT. 1700	15W680 89TH ST	8877 S MADISON ST
CHICAGO, IL 60603	HINSDALE, IL 60521	BURR RIDGE, IL 60527
CHICAGO TR CO TR BEV-3561	OEDZES, EDWARD & E C	DOYLE, PATRICK
8750 POLO RIDGE CT	10S125 MADISON ST	8814 AINTREE LN
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
State Bank Of Countryside	GREULICH, ROBERT C	PIZZUTO, JOSEPH
190 S La Salle	10S135 MADISON ST	10S231 VINE ST
Chicago, IL 60521	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
CHICAGO TITLE	MUZZARELLI, ARNOLD & S A	GROZICH, GLENN J
10S055 THURLOW	15W660 90TH ST	16W125 89TH ST
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	HINSDALE, IL 60527
STYKA, PAMELA J	SCHIAPPA, JAMES V	YAP, PHILIP U & ROBERTA C
15W731 90TH ST	7722 S KEDZIE	3016 DAFOE TERRACE
BURR RIDGE, IL 60527	CHICAGO, IL 60652	THE VILLAGES, FL 32163
OXFORD BANK & TRUST	MEANS, JEFF	TRI STATE FIRE PROTECTION
PO BOX 7163	8900 S MADISON ST	419 PLAINFIELD RD
VILLA PARK, IL 60181	BURR RIDGE, IL 60527	DARIEN, IL 60561
BOUNDAOUI, O & H ARABI	RAMZEY D LLC	WARE, KENNETH
8733 POLO RIDGE CT	620 DEVON DR	10S265 S VINE ST
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
FAWCETT, JOHN	CHICAGO TITLE 8002371940	GAW, JAMES B & RHONDA
8802 AINTREE LN	10 S LA SALLE ST APT. 2750	8738 AINTREE LN
BURR RIDGE, IL 60521	CHICAGO, IL 60603	BURR RIDGE, IL 60527
COLLINS TR, J ROBERT	WEINBERGER, JOHN & JULIE	MALININ, JERRY & MARGARET
10S055 THURLOW ST	15W720 89TH ST	15W730 90TH ST
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
VALINCIUS, LAISVUNAS	REBACZ, RALPH	MEFFORD, C & W HURT
10S371 MADISON ST	930 S PENNSYLVANIA ST	8725 MADISON ST
BURR RIDGE, IL 60527	DENVER, CO 80209	BURR RIDGE, IL 60527

LALL, KULDEEP & DILJIT	SUBBARAJU, NANDINI & T	RUIZ, FRANCISCO
16W060 89TH ST	577 N EMROY AVE	8749 POLO RIDGE CT
BURR RIDGE, IL 60527	ELMHURST, IL 60126	BURR RIDGE, IL 60527
DREMONAS, JAMES P	JANUSZ, LAWRENCE & JAMIE	CTLTC 8002382005
8750 AINTREE LN	10S215 MADISON ST	8891 S MADISON ST
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
MALININ, MARGARET	BAS PROPERTIES LLC	MURRAY, CHARLES & VIDA
15W730 90TH ST	8403 N EL MARO CIR	10S245 MADISON ST
BURR RIDGE, IL 60527	SCOTTSDALE, AZ 85253	BURR RIDGE, IL 60527
OTTO, SANDRA V TR	JACOBS, LOIS	TICHY, IVAN & MICHELLE
15W760 89TH ST	5001 CAROLINE AVE	8765 POLO RIDGE CT
BURR RIDGE, IL 60527	WESTERN SPRING, IL 60558	BURR RIDGE, IL 60527
ZIEMBA, JOLANTA	KHATIB, NIZAM	GROZICH, PHYLLIS
4155 W 58TH PL	8720 POLO RIDGE CT	16W184 89TH ST
CHICAGO, IL 60629	BURR RIDGE, IL 60527	WILLOWBROOK, IL 60527
PIZZUTO, JOSEPH A	MEANS, JEFFREY & CARISSA	COLONNA, BERNARD & S
10S231 VINE ST	10S180 MADISON ST	8762 AINTREE LN
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
ZOLNIERZOW, ZBIGNIEW 10S261 MADISON ST	MC DERMOTT, WILLIAM D & K 8781 POLO RIDGE CT	

BURR RIDGE, IL 60527

BURR RIDGE, IL 60527



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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

Street Address of Subject Property:

Property Owner or Petitioner:

6816 Field Stone Drive

ouryakant Pat

(Signature)





Z-10-2023: 212 Burr Ridge Parkway (Magnesen/Jonny Cabs); Request to amend a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

HEARING:

November 20, 2023

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Patrick Magnesen of Jonny Cabs

PETITIONER STATUS:

Tenant

PROPERTY OWNER:

Bob Garber

EXISTING ZONING:

B-1 Business District

LAND USE PLAN:

Recommends Commercial Uses

EXISTING LAND USE:

Mixed-Use Shopping Center

SITE AREA:

7.2 Acres

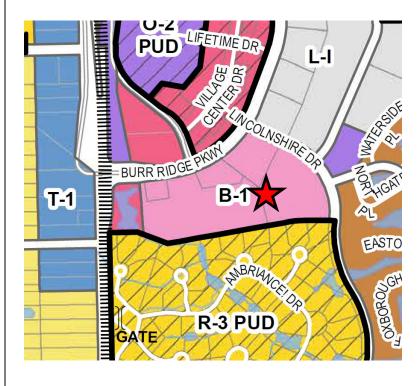
SUBDIVISION:

Burr Ridge Corporate Park

PARKING:

499 Public Spaces





Z-10-2023: Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

The petitioner, Patrick Magnesen of Jonny Cabs, requests to amend an existing special use regarding an outdoor dining enclosure at an existing restaurant. Jonny Cabs was approved originally for sales of alcoholic beverages, live entertainment, and outdoor dining in 2021 through Ordinance #A-834-02-21. The entire outdoor dining area contains twelve (12) tables with a total of fifty-one (51) seats, one (1) 1-seater sofa, three (3) 2-seater sofas, and one (1) 4-seater sofa. The table and seat count will not change under the new proposal. Jonny Cabs canopy awning was approved through permit #2023-016. Owner approval has not been received, but staff will verify with the owner if it is approved.



Aerial of the property with the property lines and yards.

Section VIII.A of the Zoning Ordinance stipulates several regulations related to outdoor dining at all places of eating in the Village within the Business Districts (B-1 and B-2). The petitioner's compliance with these regulations is noted in red. The petitioner has submitted a plan and information about the proposed outdoor dining area, included as Exhibit A. Since the tenant space is located within the County Line Square PUD, those outdoor dining regulations in the PUD also apply.

- 1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
- 2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building; *The proposed enclosure is very close to the curb. It appears similar to the approval in 2021.*
- 3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- 4. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- 5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
- 6. The door to the dining area shall be self-closing;
- 7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and

Z-10-2023: Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

- approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
- 8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use; *The petitioner requests a fully enclosed, outdoor dining area with black fabric walls. No other tenants have a similar design, but Capri Express will propose a similar black wall enclosure at the December 4, 2023, Plan Commission meeting.*
- 9. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- 10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas, or railings;
- 12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use; *The petitioner wants the outdoor dining enclosure for the winter season.*
- 13. Tables shall be cleaned promptly following use;
- 14. Outdoor food preparation, storage or display is prohibited;
- 15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
- 16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- 17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations
- 18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
- 19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
- 20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

County Line Square Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;

Staff Report and Summary

Z-10-2023: Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curbline or so as to impede the normal flow of pedestrian traffic into or from a doorway; *Proposed enclosure is very close to the curb. It appears similar to the approval in 2021.*
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;
- Outdoor dining areas must be cumulatively approved by the Village Administrator or their designee to determine final compliance with the regulations set forth herein; and
- Outdoor dining areas shall be included as part of the size calculation for restaurants.

Public Hearing History – Related to Jonny Cabs

Z-01-2023: Zoning Ordinance Amendments for Outdoor Dining (Ordinance #A-834-05-23)

Z-15-2020: Variation to permit a restaurant in County Line Square without the required number of parking spaces (Ordinance #A-835-03-21)

Z-15-2020: Special use for a restaurant with sales of alcoholic beverages, live entertainment, and outdoor dining. (Ordinance #A-834-02-21)

Public Comment

A total of five public comments were received, all against outdoor dining. Only one of those comments specifically mentioned Jonny Cabs.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of the special use amendment, PUD amendment, and special use for outdoor dining, staff recommends the following conditions. The conditions on this request include those from the 2021 approval.

- 1. The **special** use shall be limited to Jonny Cabs and shall not be transferable to any other party.
- 2. The special use shall substantially comply with the submitted site plan.
- 3. All umbrellas, furniture, and other appurtenances shall be sorted off-site during the winter season when the enclosure is not being used for outdoor dining. * If the Plan Commission allows outdoor dining year-round, this condition shall be removed.
- 4. The special use shall comply with the previously approved landscaping, alcohol, and live entertainment plan from the 2021 approval, Ordinance #A-834-02-21.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application

Staff Report and Summary

Z-10-2023: Burr Ridge Parkway (Magnesen/Jonny Cabs); Special Use, PUD Amendment, and Findings of Fact

- Findings of Fact
- Proposed site plan and illustrations
- Public Comments
- Public Notifications

Exhibit B – Plans from 2021 approval, Ordinance #A-834-02-21, #A-835-03-21, A-834-05-23 & County Line Square Planned Unit Development Regulations



VILLAGE OF BURR RIDGE

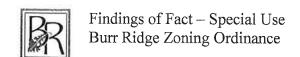
PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

PAID

OCT 18 2023

VILLAGE OF BURR RIDGE

GENERAL INFORMATION (to be completed by Petitioner)					
PETITIONER (All correspondence will be directed to the Petitioner): RAPPICK MAGNESEN (OWNER)					
STATUS OF PETITIONER: BUSINESS (BIG FELLA INVESTMENTS DBA JONNY CAB'S)					
PETITIONER'S ADRESS: 212 BURE RIDGE PARKWAY (PATRICK'S HOME ADDRESS: 1045 ELDRINGE LN, ELMHVRST 60126)					
ADDRESS OF SUBJECT PROPERTY: 212 BURR PINE PAIRWAY					
PHONE: 708-373-1527					
EMAIL: PATRICK @ JONNY CABS. COM					
PROPERTY OWNER: BOB GARBER					
PROPERTY OWNER'S ADDRESS:					
PUBLIC HEARING REQUESTED: Special Use Rezoning Text Amendment Variation(s)					
DESCRIPTION OF REQUEST: Jonny Cab's is requesting a Special Use Permit to keep its enclosed, weatherized front patio operational during the winter months. This enclosed patio is essential for the restaurant's financial viability, accommodating up to 30 patrons. It's noteworthy that we generate substantial revenue from this patio, with an average spend of \$85.67 per guest during our most recent quarter. The restaurant consistently fills the patio to capacity on weekends and partially on weekdays, contributing significantly to the local economy. The projected financial impact of losing the enclosure for 6 months is \$130K in revenue. The potential loss of this revenue stream would have a severe financial impact on us, potentially leading to layoffs and even closure. The enclosed patio enhances the customer experience by providing additional seating, space for lounging which is key since we often have lots of dancing with our live music. This benefits the local community. The enclosed patio improves the overall aesthetics of the restaurant and the strip mall, making it a more attractive and welcoming place for residents and visitors.					
PROPERTY INFORMATION (to be completed by Village staff)					
PROPERTY ACREAGE/SQ FOOTAGE: 315,976 59 FF EXISTING ZONING: 8-1					
EXISTING USE/IMPROVEMENTS: BUSINESS					
SUBDIVISION: Burr Ridge Corporate Park					
PIN(S) #					
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.					
Petitioner's Signature O 18/2023 Date of Filing					



Address:

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

a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

Jonny Cab's enclosed patio meets a public necessity & provides a unique benefit to the Village and its residents in several ways. Firstly, it creates a vibrant and inviting space for both locals and visitors to enjoy, contributing to the social & cultural life of the community. Secondly, it fosters economic growth by generating substantial revenue for the restaurant, which, in turn, supports local jobs and businesses. The patio's contribution to the local economy is significant, especially on weekends when it reaches full capacity. Thirdly, it adds to the aesthetic appeal of the strip mall and the Village, making it a more attractive destination for both residents and tourists. In summary, the enclosed patio is a unique asset that enhances the community's social, economic, and aesthetic aspects.

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

The patio is enclosed and weatherized, ensuring a comfortable and safe environment for patrons year-round. It also complies with all relevant regulations, including those related to building codes, fire safety, and noise control, thereby safeguarding public health and safety. The presence of live music and dancing is managed responsibly to avoid disturbances to the neighborhood. We have not had a single noise complaint since we opened. Moreover, the patio's role as a community gathering space enhances the general welfare and comfort of residents by providing a unique and enjoyable experience. Our proposal prioritizes the well-being and satisfaction of the Village and its residents while adhering to all necessary safety, morals, comfort, and general welfare standards.

c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

Our proposal is designed to minimize any potential negative impact on neighboring properties and property values. The enclosed patio is situated in a way that reduces noise and disturbances to neighboring businesses and residences. Additionally, the patio's presence enhances the overall aesthetics of the strip mall. making it a more attractive destination that could potentially increase foot traffic and benefit neighboring establishments. Furthermore, we have a proven track record of responsible operation and compliance with regulations, which minimizes the likelihood of any adverse effects on nearby properties. In summary, our proposal is structured to ensure it does not injure the uses/enjoyment of other property & may even positively impact property values in the strip mall.

d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Our enclosed patio is carefully designed to complement the normal & orderly development of the surrounding property for uses permitted in the district. The patio is located in a way that does not obstruct access or create congestion on public streets or walkways, ensuring smooth traffic flow. It also adheres to all zoning regulations and special use requirements, demonstrating a commitment to responsible development within the district. Moreover, the patio's presence can contribute to the vibrancy of the area, potentially attracting more customers to nearby businesses and supporting their growth.

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

The proposal plan included provisions for adequate utilities, access roads, drainage, and necessary facilities. The restaurant has ensured that it has the necessary utility connections, like heating, electricity, and water, to support the patio's year-round operation. Access roads & parking accommodate any additional traffic generated by the patio, so are not effected. We already provide free valet to our guests. Furthermore, Jonny Cab's has committed to maintaining these facilities to ensure they continue to meet the needs of the patio and the surrounding area.

f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The enclosed patio proposal includes measures to provide efficient ingress and egress, minimizing traffic congestion on public walkways. The existing patio remains compliant with existing permits. We are simply looking to keep the enclosure panels. Additionally, Jonny Cab's has a track record of effectively managing traffic during peak hours, especially on weekends when the patio is at its busiest. In summary, the proposal demonstrates a commitment to minimizing traffic congestion through careful planning and proactive management.

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

Our proposal aligns with the objectives of the Official Comprehensive Plan as amended in several ways, Firstly, it contributes to the economic development and vitality of the Village, which is a key goal of the Comprehensive Plan. The patio generates revenue, supports local jobs, and attracts visitors, all of which enhance the economic well-being of the community. It promotes social interaction, fostering the Comprehensive Plan's aim of creating a vibrant and attractive living environment. The patio serves as a gathering place for residents and visitors alike, enriching the social fabric of the Village, Finally, it improves the aesthetics of the strip mall, making it a more appealing destination consistent with the Plan's objectives to enhance the visual appeal of the area.

h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

Jonny Cab's proposal diligently adheres to all existing regulations within the district. Any necessary modifications will be made in strict accordance with the recommendations of the Plan Commission or the Zoning Board of Appeals, ensuring full compliance and responsible operation within the district.



Detailed Description of Special Use Request:

Jonny Cab's, a vibrant restaurant located at 212 Burr Ridge Parkway, Burr Ridge, IL 60527, seeks a Special Use Permit to maintain its enclosed, weatherized front patio during the winter months. The patio is of paramount importance to Jonny Cab's operational livelihood, with significant economic and community benefits.

Hours of Operation: Jonny Cab's operates from 4:00 PM until close, which varies based on the day of the week. Specifically, it closes at midnight on Tuesday, Wednesday, and Thursday, while extending operations until 1:00 AM on Fridays and Saturdays. The restaurant is closed on Sundays and Mondays.

Economic Significance: Jonny Cab's has a proven track record of contributing significantly to the local economy. Our Point of Sale (POS) system for the most recent quarter reports an impressive average spend of \$85.67 per guest. This highlights the economic value generated by our establishment. The enclosed patio is pivotal to this success, accommodating up to 30 patrons. On peak nights, notably Fridays and Saturdays, the patio consistently reaches full capacity. Even on weekdays, it fills to approximately a quarter of its capacity, enhancing our economic viability in the village. The projected revenue impact from this decision is \$130K in missed opportunity.

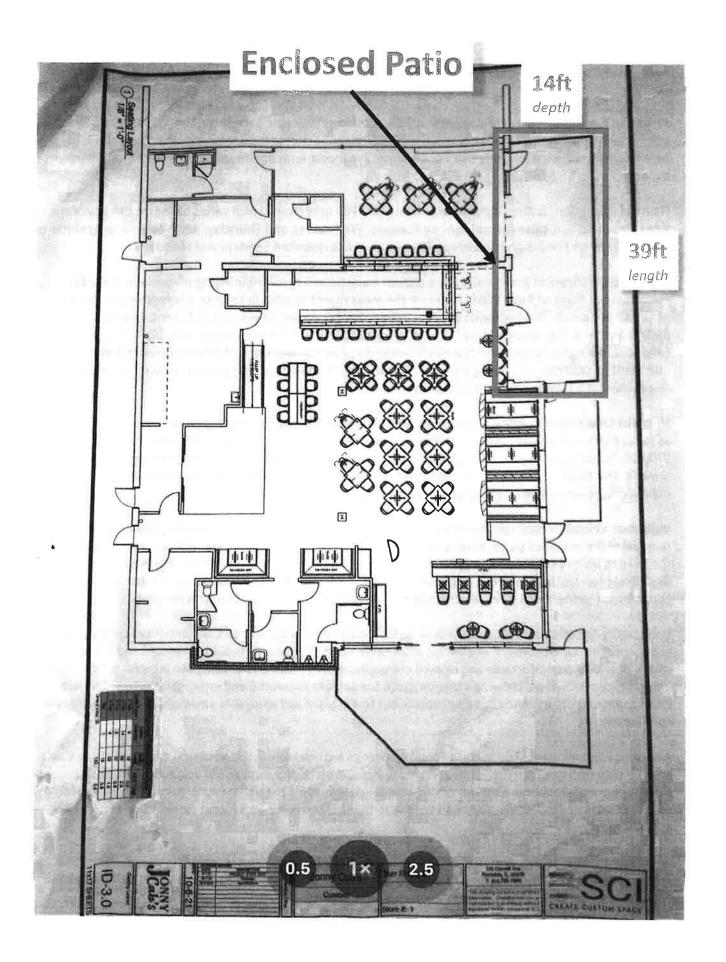
Financial Challenges: Running a restaurant with high-quality live music and top-notch entertainment, such as Jonny Cab's, comes with considerable expenses. Our monthly burn rate has ranged from \$20,000 to \$70,000, including expenses associated with our talented team members and the entertainment we provide. This represents a substantial financial commitment, which underscores the importance of maintaining revenue streams throughout the year.

Impact on Valued Personnel: The potential loss of revenue during the winter months, resulting from the removal of the enclosed patio, poses a significant challenge. It may necessitate difficult decisions, such as the need to let go of valued team members. We are proud to provide our team members with Blue Cross Blue Shield top-tier healthcare, a rare offering in the restaurant industry. This demonstrates our commitment to their well-being and highlights the potential human impact of this decision.

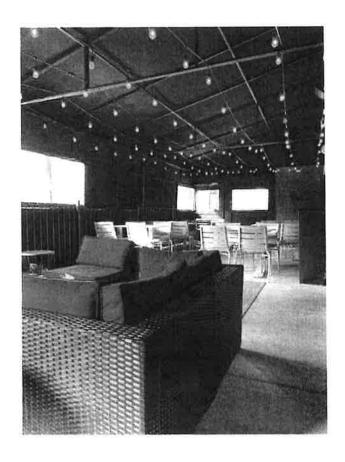
Community Benefits: Jonny Cab's enclosed patio is cherished by our patrons and enhances the overall experience for our customers. In addition to 24 table seats, the patio includes 2 loveseats and a long couch, providing a comfortable and relaxed atmosphere. Live music and dancing are integral to our entertainment offerings, creating a unique space for patrons to unwind and enjoy themselves. This not only increases their spending but also contributes to a vibrant and enjoyable atmosphere that benefits the community.

Aesthetic Enhancement: The enclosed patio also plays a crucial role in the aesthetic appeal of Jonny Cab's and the strip mall in which it is located. With the patio in place, the front of our restaurant exudes a cleaner, more professional, and welcoming ambiance. Removing the patio would leave a barren, fenced-in area that detracts from the visual appeal of the strip mall, becoming an eyesore rather than a welcoming establishment.

In conclusion, Jonny Cab's enclosed patio is not only a significant contributor to the local economy but also a vital component of the community's social and aesthetic fabric. We request the Special Use Permit to continue offering these benefits to our patrons and the Village of Burr Ridge.



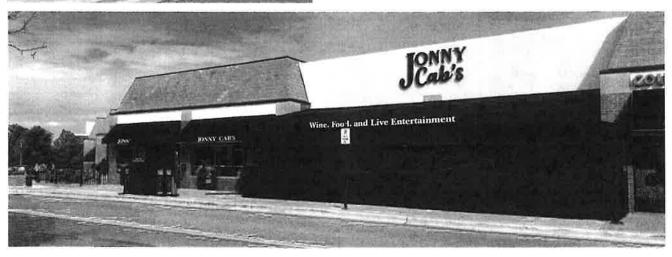


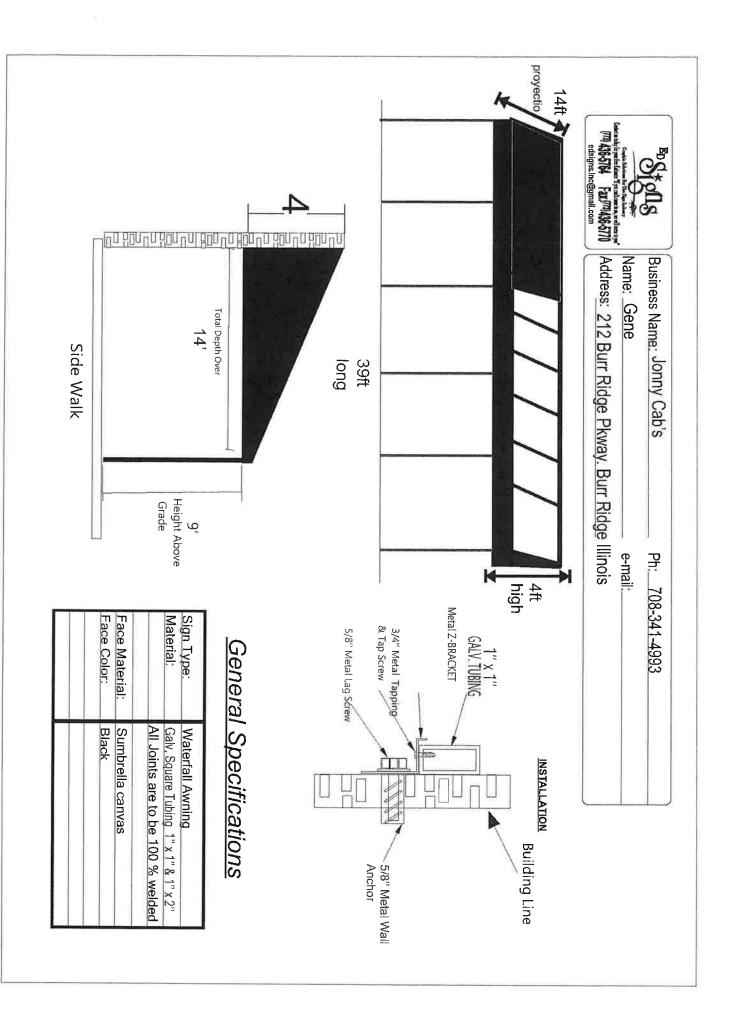




Enclosed Patio

Pictures





From: nickolaou1@att.net
To: Ella Stern

Subject: County Line Square

Date: Thursday, November 9, 2023 3:03:37 PM

Please do NOT consider the expansion of "outdoor spaces. Glassed in dining space will take away from the " Town Square" vibe.

Sincerely, Marilyn Nickolaou 15w322 79th Street Burr Ridge, IL 60527 From: Karen Elizabeth Berg Phillipp

To: <u>Ella Stern</u>

Subject: Nothing should be changed

Date: Thursday, November 9, 2023 3:36:47 PM

I have lived in Burr Rudge since 1987 and the quality of the mall is becoming solely for entertainment. Brick and mortar stores are struggling. Leave the architecture alone. Have more security enforcement.

This is only my opinion.

Karen Elizabeth Phillipp

From: John Kuhlman
To: Ella Stern
Subject: Outdoor Dining

Date: Thursday, November 9, 2023 3:52:39 PM

Against!!

Sent from my iPhone

From: patricia Krueger
To: Ella Stern
Subject: outdoor dining

Date: Saturday, November 11, 2023 9:22:23 AM

No permanent outdoor dining should be allowed

To Chairman Trzupek and Burr Ridge Plan Commissioners:

As a Burr Ridge resident I write in opposition to petition Z-10-2023 (Jonny Cabs) to be discussed at your November 20 meeting. It's unfortunate that petitions Z-12-2023 (Capri Express) and Z-13-2023 (Great American Bagel) aren't all being discussed at the same meeting because they are virtually the same request: to make so-called "outdoor dining" a permanent use outside County Line Square (CLS) businesses. This is a bad idea for various reasons.

INCREASED ENFORCEMENT IS THE CATALYST -- At your November 6 meeting, Community Development Director Farrell noted that "staff began enforcement action at County Line Square which is why special uses are coming in for these temporary wall enclosures." Many businesses in that mall have been in existence for decades, and the CLS PUD was enacted November 8, 2021, yet "enforcement action" is just a recent event? Residents currently see a hodge-podge of awnings, decorations, fence design, lighting, colors, signage, and materials in CLS, and that's the fault of Village code enforcement. Kirsten's Bakery doesn't even have an approved special use for outdoor dining, yet it has tables and chairs out front seasonally (See attached from Z-01-2023). Perhaps these businesses should be made to comply with existing uses FIRST without granted them additional special uses?

"OUTDOOR DINING" SHOULD BE...OUTDOORS! -- "Outdoor dining" is, by definition, <u>outside in fresh air</u>, and should remain a seasonal event from March 1 to November 1. The proliferation of black canvascovered structures in front of CLS businesses creates blight, destroys the openness of the mall, encroaches on public walkways, and is not in keeping with what other towns and villages do. Hinsdale and La Grange, for instance, do not permit year-round so-called "outdoor dining" structures. Arlington Heights also enjoys a vibrant, successful outdoor dining scene, but it is confined to the summer months. To enclose these areas directly in front of the businesses and call it "outdoor dining" is patently absurd. Jonny Cabs' and Capri Express' petitions both indicate they will be heated. That's <u>not</u> "outdoor dining."

The proliferation of outdoor dining in all towns was likely the result of COVID-19 when very few patrons wished to eat indoors. But the pandemic is over and there is no reason – other than simple greed – to have these unsightly enclosed structures operating on CLS's sidewalks year-round. <u>True</u> outdoor dining in front of CLS businesses in good weather? Sure, great idea – but with regulation <u>and</u> enforcement.

BAD AESTHETICS -- The "Findings of Fact" section of Jonny Cabs' petition claims several times that its blackened enclosure "adds to" or "enhances" the aesthetic appeal of the strip mall. Nothing could be further from the truth. The proliferation of these enclosures creates a foreboding, uninviting, funereal look in a shopping area that was once open and bright. If you approve this one – and Capri Express's later – many others will follow. It opens the floodgates for every other business in the mall to request, and expect, the same approval. Can "outdoor" physical therapy (ATI, 212 Burr Ridge Parkway) and music lessons (Bel Canto, 92 Burr Ridge Parkway) be far behind? It is the wrong look for Burr Ridge.

ENROACHMENT INTO PUBLIC SPACE -- Besides being unattractive, these enclosed structures encroach on the public right-of-way. The CLS PUD mandates that "outdoor dining areas" be located 60" from a curb line. Initially the PUD had 48" from the curb line; however, Trustee Guy Franzese brought up the fact that 60" was always the will of the Plan Commission historically as outdoor dining petitions were considered. In approving the CLS PUD on November 8, 2021, the Board did make that stipulation back to

60". But no matter, the Cabs petition doesn't show 60" distance to the curb in their plans. In fact, none of these "outdoor dining" petitions show this approved 60" distance from the curb line.

PARKING IN COUNTY LINE SQUARE IS AT A PREMIUM -- As you know, parking is at a premium in County Line Square. There are three nightclubs currently (Cab's, Are We Live/Gazi, and County Wine Merchant) and permanent, year-round enclosures for these -- and other businesses to come -- just mean more capacity. The CLS PUD states that "outdoor dining areas shall be included as part of the size calculation for restaurants." The PUD further requires the mall to "provide one parking space for each 200 gross square feet of commercial space available." I don't see any discussion of parking in Jonny Cab's petition, only its claim that the enclosed patio "consistency reaches full capacity."

In April 2021, Village staff prepared the attached list of required spaces in CLS. It's somewhat outdated since new businesses have moved in after its preparation, but it gives you some idea of the number of parking spaces required by code for businesses at the time. Jonny Cab's was assigned 14 parking spaces. Despite its provision of valet parking, Cab's petition states the proposed "outdoor dining" enclosure accommodates "up to 30 patrons" (it's actually more than that if you look at their photos) — in the enclosed "outdoor" structure alone. Jonny Cab's has maxxed out its parking and yet seeks even more capacity by enclosing their "outdoor dining" space year-round.

WHAT'S DRIVING THESE REQUESTS? -- Ask yourselves: what's really driving these requests? Is it "monkey see-monkey do?" Is it because Capri Ristorante has been operating an enclosed "patio" for years and now others want the same? Of course it is. Remember: Capri erected its striped awning without Village approval in conflict with a 2012 special use that required the use of table umbrellas in its sidewalk dining area. The owner continued his blatant disregarded Village rules for signage when establishing his new businesses in CLS: first Are We Live? and thereafter Gazi By Gigi. County Line Square businesses want to have the same amenities as some restaurants in the Burr Ridge Village Center (e.g., Pella, Topaz), only they lack the space. If they require such increased capacity, maybe they should relocate?

In approving the CLS PUD in November 2021, Mayor Grasso stated the PUD "will allow the Village more say on what is happening over there and bring it into a state of compliance with the rest of the Village." That was a pipe dream, with many CLS businesses doing whatever they wanted. Village staff claims "enhanced enforcement" has given rise to these petitions for enclosed "outdoor dining." I would include "pure greed" as a reason, too. The Cab's petition suggests it may have to "let go of valued team members" if it doesn't get its permanent "outdoor dining." It's disingenuous and a smokescreen. Mismanagement and poor planning are not reasons to approve this petition and I respectfully request you vote this – and all similar petitions to come – down. Please keep "outdoor dining" what it's meant to be: **OUTDOORS** and **SEASONAL**. Thank you.

Respectfully submitted,

Patricia A. Davis Burr Ridge resident

2 attachments/exhibits

Z-01-2023: Zoning Ordinance Amendments; Text Amendment and Findings of Fact Page 2 of 2

Under current Zoning Ordinance regulations, outdoor dining accessory to restaurant uses in the B-1 and B-2 zoning districts requires a special use permit. In the County Line Square Planned Unit Development (PUD), adopted in 2021, outdoor dining areas are calculated as part of the total size of the restaurant and may be permitted by right. In the Village Center, the entertainment district (Buildings 4 and 5) is proposed to have outdoor dining (Ordinance A-834-15-20), but the specifics on the final streetscape design, materials, furniture, etc. have not been submitted to the Plan Commission for approval.

There are fourteen restaurants in the Village which have approved outdoor dining areas accessory to the restaurant use, although some outdoor dining areas may not yet have been constructed. An asterisk (*) indicates restaurants with liquor service. Only one of these restaurants, Capri Express, does not have a fenced enclosure for their outdoor dining area.

- Are We Live Ordinance A834-06-22 (2022)*
- Capri Ordinance A-834-15-18 (2018)*
- Capri Express Ordinance A-834-17-21 (2021)
- Cooper's Hawk Ordinance A-834-16-22 (2022)*
- Dao Sushi and Thai Ordinance A-834-08-12 (2012)*
- Falco's Ordinance A-834-08-20 (2020)*
- Jonny Cab's Ordinance A-834-02-21 (2021)*
- La Cabanita Ordinance A-834-27-11 (2011)*
- Pella Ordinance A-834-14-21 (2021)*
- Starbuck's Ordinance A-834-10-12 (2012)
- Stix & Stones Ordinance A-834-07-15 (2015)*
- Topaz Ordinance A-834-14-12 (2012)*
- Wok n Fire Ordinance A-834-28-13 (2013)*
- Yolk Ordinance A-834-12-22 (2022)

Findings of Fact

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

Attachments

- Exhibit A Petitioner's Materials and Findings of Fact
- Exhibit B Current Zoning Ordinance regulations for outdoor dining, hours of operation, and live entertainment
- Exhibit C Draft Zoning Ordinance regulations for outdoor dining
- Exhibit D Excerpt of outdoor dining regulations from County Line Square PUD

April 26, 2021 Parking at County Line Square Prepared by Community Development Staff

Address	Occupant	Land Use	Section	Required By Code w/Variations	5-6AM	6-7AM	7-8AM	8-9AM	9-10AM	10-11AM	11-12PM	12-1PM	1-2PM	2-3PM	3-4PM	4-5PM	5-6PM	6-7PM	7-8PM	8-9PM	9-10PM	10-11PM
50	Office Outlot (4)	office	West	10				10	10	10	10	10	10	10	10	10						
78	Patti's Sunrise Café	restaurant	West	37		37	37	37	37	37	37	37	37	37								
80	Patti's Sunrise Café	restaurant	West	5				5	5	5	5	5	5	5	5	5						
82	State Farm	office	West	4		1		4	4	4	4	4	4	4	4	4						
84	Kuman	tutoring	West	4								4	4	4	4	4	4	4				
88-90	Remax	realtor	West	13					13	13	13	13	13	13	13	13						
92	Bel Canto	music school	West	4					4	4	4	4	4	4	4	4	4	4	4			
94	Kirsten's Bakery	bakery	West	7		7	7	7	7	7	7	7	7	7	7	7	7					
96	China King	restaurant	West	8							8	8	8	8	8	8	8	8	8	8		
98	Imperial Jewelers	jewelry	West	2						2	2	2	2	2	2	2	1-					
100	Brookhaven	grocery store	West	91			91	91	91	91	91	91	91	91	91	91	91	91	91	91		
102	Kerkstra's Cleaners	cleaners	East	7		1	7	7	7	7	7	7	7	7	7	7	7	7				
104	Great American Bagel	restaurant	East	20		20	20	20	20	20	20	20	20	20	20	20	20					
106	Magic Nails	salon	East	6					6	6	6	6	6	6	6	6	6	6	6			
108	Vince's Floral	flower shop	East	5			V 200 000 000		5	5	5	5	5	5	5	5						
110	Salon Hype	salon	East	5				5	5	5	5	5	5	5	5	5	5	5	5	5		
112	Vacant	restaurant	East	15			15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	
114	Capri Express	restaurant	East	15						15	15	15	15	15	15	15	15	15	15	15	15	
116-118	LaCabinita	restaurant	East	21			STATE OF THE				21	21	21	21	21	21	21	21	21	21	21	
120	ATI Physical Therapy	medical	East	8			8	8	8	8	8	8	8	8	8	8	8	8				
124	Cyclebar*	health	East	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10			
150	Chase Bank	Bank	East	12		C VOIII O SEE SVO		Service of the servic	12	12	12	12	12	12	12	12	Outstand I am	Carlon and Carlo				
200	Dao Sushi and Thai	restaurant	East	45							45	45	45	45		45	45	45	45	45	45	
208	County Wine Merchant	restaurant	East	13								13	13	13	13	13	13	13	13	13	13	13
212	Johnny Cab's	Restaurant	East	14											14	14	14	14	14	14	14	14
302	Vacant	retail	East	4						4	4	4	4	4	4	4	4	4				
304	Vacant	retail	East	4						4	4	4	4	4	4	4	4	4				
306	Vacant	retail	East	5						4	4	4	4	4	4	4	4	4				
308	Amore Yoga	health	East	4					4	4	4	4	4	4	4	4	4	4	4			
312	Proposed Restaurant	Restaurant	East	38												38	38	38	38	38	38	38
314-316	Chiro One	medical	East	6			6	6	6						6	6	6	6				
318	Dental Fitness Center	dental	East	6			6	6	6	6	6	6	6	6	6	6						
320	Medandspa	medical	East	18						18	18	18	18	18	18	18	18					
324	Capri***	restaurant	East	56							56	56	56			56	56	56	56	56	56	55
	BUSINESSES OPEN				1	4	10	14	20	25	29	31	31	30	30	33	25	22	15	1,1	8	4
	SPACES REQUIR	ED		522	10	74	207	231	275	316	446	463	463	407	345	484	427	382	345	321	217	120
	SPACES AVAILA	BLE			499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499	499
		Required:	WEST		0	44	135	154	171	173	181	185	185	185	148	148	114	107	103	99	0	0
		Avaiable:	WEST		201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201	201
		Required:	EAST		10	30	72	77	104	143	265	278	278	222	197	336	313	275	242	222	217	120
		Available:	WEST		298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298	298



MAYOR
GARY GRASSO
VILLAGE CLERK
SUE SCHAUS
VILLAGE
ADMINISTRATOR
EVAN WALTER

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on Monday, November 20, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Patrick Magnesen of Jonny Cab's for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21 and Section VIII.1.e of the Burr Ridge Zoning Ordinance. The petition number and address of this petition is **Z-10-2023: 212 Burr Ridge Parkway.** and the Permanent Real Estate Index Number is **18-30-305-003-0000.**

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 14, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

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

Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site is outlined in red



Proposed outdoor dining enclosure.

Additional information is posted on the Village's website in the link below:

https://www.burr-

ridge.gov/government/boards_committees___commissions/plan_commissions__zoning_board_of_appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The November 20, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-

ridge.gov/government/boards_committees___commissions/plan_commissions__zoning_board_of_appeals/agendas__minutes.php

Burr Ridge homepage - Government - Agendas & Minutes - Plan Commission & Zoning Board of Appeals

KARL J VAN CURA	HETALKUMAR PATEL	FERN INC
20 38TH STREET	202 AMBRIANCE DR	15 AMBRIANCE
SIOUX CITY, IA 51104	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
RANJBAR, DONNA A	T & M KELLY	KUKUC, FRANK & MARGARET
7734 S COUNTY LINE RD	802 AMBRIANCE DR	7603 S DREW AVE
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
SUNIL SURI	DANA SHINNEMAN	VILLAGE OF BURR RIDGE
103 AMBRIANCE DRIVE	207 AMBRIANCE DR	7660 S COUNTY LINE RD
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
GEETHA PUNDALEEKA	ANDREW J MOORMANN	BRVC OWNER LLC
502 AMBRIANCE DR	50 BURR RIDGE PKWY	PO BOX 1243
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	NORTHBROOK, IL 60065
KUKUC, STANLEY & IRENE	PARRIS SZOT	L PETERSON & J KENNEDY
7615 S DREW AVE	301 AMBRIANCE DR	117 NORTHGATE PL
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
101 BRP LLC	TERRELL PATTERSON	ASTA KAUPAITE
20 DANADA SQ W #274	407 AMBRIANCE DR	201 AMBRIANCE DR
WHEATON, IL 60189	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
S SINGHAL	MAGDALENA KOLOSA	BREYMEYER, WILLIAM G
405 AMBRIANCE DR	303 AMBRIANCE DR	7711 DREW AVE
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
OPUS NORTH MGMT CORP	TCF BANK	KRISHNA & ARUNA REDDY
701 VILLAGE CENTER DR	1405 XENIUM LN PCC00PD	406 AMBRIANCE DR
BURR RIDGE, IL 60527	PLYMOUTH, MN 55441	BURR RIDGE, IL 60527
HOSPITALITY PROP TRUST	GYTIS ARANAUSKAS	KENSINGTON PARK LLC
255 WASHINGTON ST	402 AMBRIANCE DR	743 MCCLINTOCK DR
NEWTON, MA 2458	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
NABEEL JABRI	INTER CONTL BURR RIDGE	GARY R MURINO
204 AMBRIANCE DRIVE	108 BURR RIDGE RD	18 AMBRIANCE
BURR RIDGE, IL 60527	ESSEX, IL 60527	BURR RIDGE, IL 60527

JAMES M SNYDER	PAULIUS, ANDRIUS	EDWARD T PRODEHL
807 AMBRIANCE DR	1815 W IOWA ST	104 AMBRIANCE CT
BURR RIDGE, IL 60527	CHICAGO, IL 60622	BURR RIDGE, IL 60527
AN UNDIVIDED ONE HALF	TRP 745 MCCLINTOCK LLC	CHRISTIAN BROTHER MIDWEST
801 AMBIANCE DRIVE	1700 W HIGGINS RD 280	7650 S COUNTY LINE RD
BURR RIDGE, IL 60527	DES PLAINES, IL 60018	BURR RIDGE, IL 60527
LIFE TIME FITNESS 130	YANAHAN, PARTICK 0013505	FIRST MIDWEST S19733
2902 CORPORATE PLACE	7754 S COUNTY LINE RD	703 AMBRIANCE DR
CHANHASSEN, MN 55317	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
NILUFAR KABIR	KALEEM MALIK	PABIJANSKI, HENRYK
304 AMBRAINCE DR	101 AMBRIANCE CT	7626 DREW AVE
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
FIRST MIDWEST BANK AS	SHARAD GANDHI	KORFIST, CHRISTIAN
704 AMBRIANCE DR	403 AMBRIANCE DR	7611 DREW AVE
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
SPENCER LEE & MI Y WON	RIVERA, RUDOLPH & L TR	REEGS PROPERTIES
205 AMBRIANCE	7607 DREW AVE	PO BOX 639
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	HINSDALE, IL 60522
SALVATORE QUATRUCHI	MOINNUDDIN, ABID & S	GEORGE S SPINDLER
404 AMBRIANCE DRIVE	7623 S DREW	7344 LAKESIDE CIRCLE
BURR RIDGE, IL 60527	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
MONA GHOBRIAL & SONIA	R & N KAPOOR TR KNR TR	SPIRIT MASTER FUNDING
450 VILLAGE CENTER DR3	302 AMBRIANCE DR	2727 N HARWOOD ST#300
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	DALLAS, TX 75201
ALAN JOHNSON	MPG RIC BURR RIDGE LLC	ATHIHALLI NAGARAJ
17 AMBRIANCE DR	71 S WACKER DRIVE APT. 3725	102 AMBRIANCE DR
BURR RIDGE, IL 60527	CHICAGO, IL 60606	BURR RIDGE, IL 60527
FAROUK B ASAAD	PATRICIA FORKAN	GIADLA HOLDINGS LLC
705 AMBERIANCE	305 AMBRIANCE DR	7702 CASS AVE APT. 220
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	DARIEN, IL 60561

BREYMEYER, WILLIAM **RGT FAMILY LLC** D BEKTESHI 7701 DREW AVE **501 AMBRIANCE DR** 14 AMBRIANCE DR BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 **NANCY GATTUSO** ANNE E MICALETTI TRUST KONDA REALTY LLC **203 AMBRIANCE DR 401 AMBRIANCE DR** 10 ORCHARD APT. 200 BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 LAKE FOREST, CA 92630 STRZELEC, WM E MANSOUR AMIRAN **AMBRIANCE TRUST** 7750 S COUNTY LINE RD **16 AMBRIANCE DR** 1 AMBRIANCE DR BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 SUZANNE DEYOUNG ANTONIJE KELJEVIC MOHRE LLC 12A AMBRIANCE **803 AMBRIANCE DRIVE** 1 CLUBSIDE CT BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 MUDJER, STEPHEN & MARGARET DR GHASSAN ABBOUD CERVANTES, LAURA 15W700 81ST ST 206 AMBRIANCE DR 7619 DREW AVE BURR RIDGE, IL 60527 BURR RIDGE, IL 60527 BURR RIDGE, IL 60527

SHAHID HUSSAIN 11 AMBRIANCE DR BURR RIDGE, IL 60527



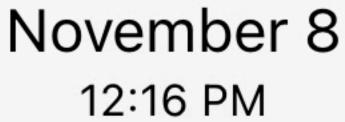
VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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

Street Address of Subject Property:	212 BURR RIDGE PARKWAY
Property Owner or Petitioner:	PATRICK MAGNESEN (Print Name)
	(Signature)















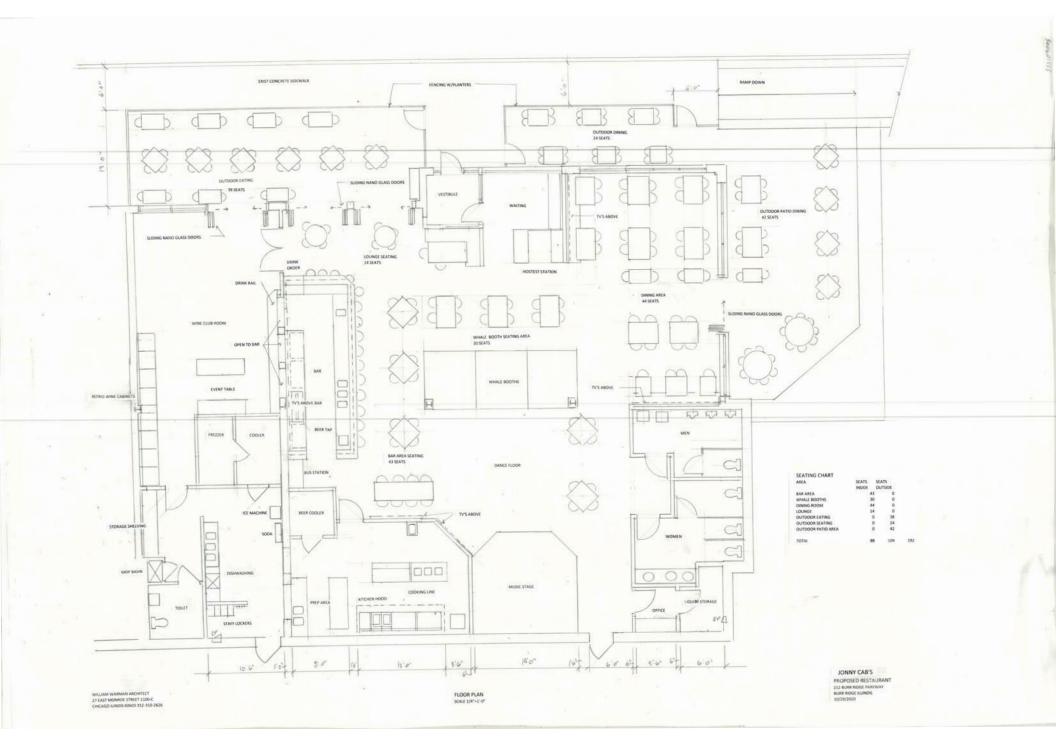
November 8 12:16 PM











From: Gene Halberan
To: Davides Probots
Subject: Fwit: Estainer Renderings updated 11-17-20
Date: Tuesday, December 1, 2020 10:30-22 AM

Sent from my iPhone

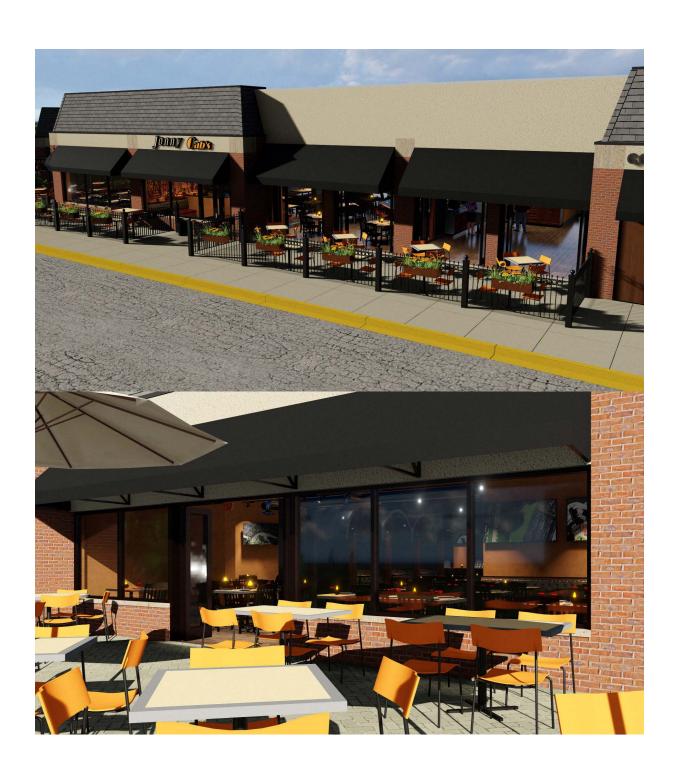
Begin forwarded message:

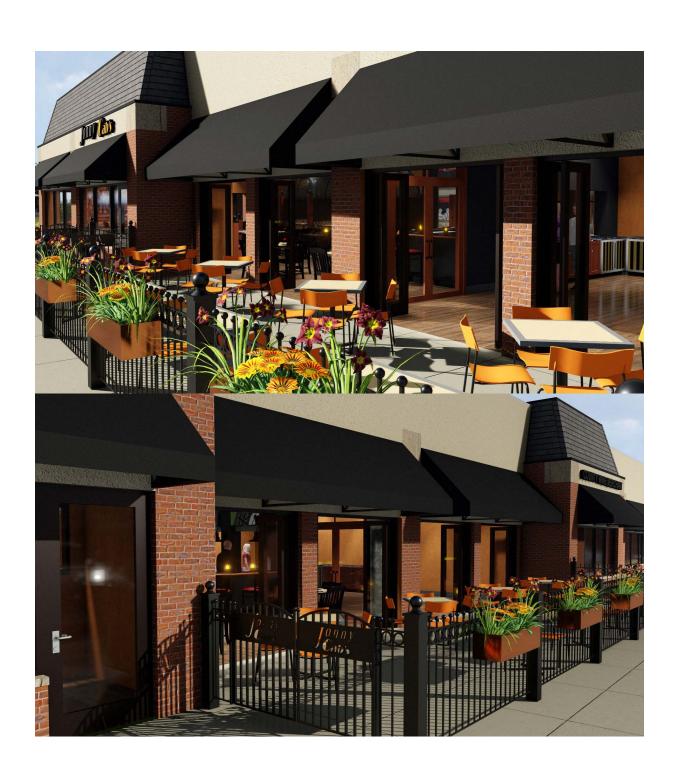
Here are the revised views

From: Chuck clpis@wir.com>
Date: Tuesday, November 17, 2020
Subject: Exterior Renderings updated 11-17-20
To: www.rehitects1@gmail.com>









ORDINANCE NO. A-834-02-21

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

(Z-15-2020: 212 Burr Ridge Parkway - Halleran)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of granting said special use approvals on November 16, 2020 and December 7, 2020 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

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

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

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

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

- A. That the Petitioner for the special use for the property located at 212 Burr Ridge Parkway, Burr Ridge, Illinois, is Gene Halleran (hereinafter "Petitioner"). The Petitioner requests special use approval as per Section VIII.B.2.ff to permit a restaurant with alcoholic beverage sales and live entertainment and a special use approval as per Section VIII.B.2.x to permit outdoor dining for said restaurant.
- B. That the proposed restaurant is in a shopping center with a variety of commercial tenants including other restaurants.

C. That the subject property is appropriate for restaurants with sales of alcoholic beverages, live entertainment, and outdoor dining.

Section 3: That special use approvals for a restaurant with sales of alcoholic beverages, live entertainment, and outdoor dining are hereby granted for the property commonly known as 212 Burr Ridge Parkway and identified by the Permanent Real Estate Index Numbers of 18-30-301-001; and 18-30-305-003.

<u>Section 4</u>: That the special use is subject to the following terms and conditions:

- 1. The special use shall be limited to Gene Halleran and shall be null and void should Gene Halleran no longer have ownership interest in the restaurant consisting of approximately 4,200 square feet commonly known as 212 Burr Ridge Parkway.
- 2. Outdoor dining shall conform to the requirements of Section VII.A.5 of the Zoning Ordinance.
- 3. The enclosure of the outdoor dining area and design of outdoor furniture shall match the adjacent Dao Restaurant subject to staff review and approval.
- 4. Hours of operation for the restaurant and outdoor dining areas shall comply with Section VIII.A.11.c of the Zoning Ordinance.
- 5. The restaurant shall comply with the following parking management conditions:
 - a. All employees shall park behind the building or west of the shopping center main entryway.
 - b. Valet parking shall be provided each and every evening that the restaurant is open for business.
 - c. Four parking spaces shall be designated in the parking lot for staging of valet parking and under no circumstances shall the drive aisle/fire lane be used for valet parking or staging of valet parking.
 - d. At all times, valet customer vehicles shall be parked west of the shopping center main entryway. Before 8 pm each evening, valet customer vehicles shall be parked west of the first two double rows

(four single rows) of parking spaces that are west of the main entryway.

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

PASSED this 11th day of January 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

5 - Trustees Mital, Snyder, Franzese, Schiappa,

Mayor

Paveza

NAYS:

1 - Trustee Mottl

ABSENT:

0 - None

APPROVED by the Mayor of the Village of Burr Pidge on this 11th day of January 2021.

 $\Delta T \hat{T} E S T \cdot$

Acting Village Clerk

ORDINANCE NO. A-834-03-21

AN ORDINANCE GRANTING A VARIATION FROM THE BURR RIDGE ZONING ORDINANCE TO PERMIT A RESTAURANT IN COUNTY LINE SQUARE WITHOUT THE REQUIRED NUMBER OF PARKING SPACES

(Z-15-2020: 212 Burr Ridge Parkway - Halleran)

WHEREAS, an application for a variation from the Village of Burr Ridge Zoning Ordinance for certain real estate has been filed with the Assistant Village Administrator of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Zoning Board of Appeals of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

whereas, said Zoning Board of Appeals of this Village held a public hearing on the question of granting said zoning variation on November 16, 2020 and December 7, 2020, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Zoning Board of Appeals has made its report on the request for zoning variation, including its findings and recommendations, to this Mayor and

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

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

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

<u>Section 2</u>: That this Mayor and Board of Trustees, after considering the report, findings, and recommendations of the Zoning Board of Appeals and other matters properly before it, in addition to the findings set forth in Section 1, finds as follows:

- A. That the Petitioner for the variation for the property located at 212 Burr Ridge Parkway, Burr Ridge, Illinois, is Gene Halleran (hereinafter "Petitioner"). The Petitioner requests a variation from Section XI.C.13 to permit a restaurant in a shopping center without the required number of parking spaces.
- B. That the proposed restaurant results in the shopping center requiring approximately 35 more parking spaces than is currently available within the shopping center.

- C. That documentation was provided indicating that based on the varying hours of operation of businesses within the shopping center, sufficient parking is available during the peak hours of the proposed restaurant.
- D. That the petitioner has agreed to provide valet parking so that the customer vehicles may be parked at the far west end of the shopping center where parking is most available during the peak hours of the proposed restaurant.

<u>Section 3</u>: That a variation from Section XI.C.13 to permit a restaurant in a shopping center without the required number of parking spaces *is hereby granted* for the property commonly known as 212 Burr Ridge Parkway and identified with the Permanent Real Estate Index Numbers of <u>18-30-301-001</u>; and <u>18-30-305-003</u>.

<u>Section 4</u>: That the variation is subject to the following conditions:

- 1. All employees shall park behind the building or west of the shopping center main entryway.
- 2. Valet parking shall be provided each and every evening that the restaurant is open for business.
- 3. Four parking spaces shall be designated in the parking lot for staging of valet parking and under no circumstances shall the drive aisle/fire lane be used for valet parking or staging of valet parking.
- 4. At all times, valet customer vehicles shall be parked west of the shopping center main entryway. Before 8 pm each evening, valet customer vehicles shall be parked west of the first two double rows (four single rows) of parking spaces that are west of the main entryway.

Section 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication A-834-03-21

as required by law. The Acting Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 11th day of January 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

5 - Trustees Franzese, Snyder, Mital, Schiappa,

Paveza

NAYS:

1 - Trustee Mottl

ABSENT:

0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this

 $11^{\rm th}$ day of January 2021.

V 20033-C100

Acting Village Clerk

ORDINANCE NO. A-834-05-23

AN ORDINANCE AMENDING SECTION VIII OF THE ZONING ORDINANCE TO AMEND THE REGULATIONS FOR OUTDOOR DINING.

(Z-03-2023: Text Amendment - Outdoor Dining)

WHEREAS, an application for a text amendment to the Village of Burr Ridge Zoning Ordinance has been filed with the Community Development Director of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, and said application has been referred to the Plan Commission of said Village and has been processed in accordance with the Burr Ridge Zoning Ordinance; and

WHEREAS, said Plan Commission of this Village held two public hearings on the question of granting said text amendment on February 6 and March 20, 2023, at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

WHEREAS, the Village of Burr Ridge Plan Commission has made its report on the request for a text amendment to the Burr Ridge Zoning Ordinance, including its findings and recommendations, to this Mayor and Board of Trustees, and this Mayor and Board of

Trustees has duly considered said report, findings, and recommendations.

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

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

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

- A. That the recommendation is to amend Section VIII, the regulations for Outdoor Dining, as attached hereto as Exhibit A.
- B. That the amendments described are consistent with the purpose and intent of the Zoning Ordinance.

<u>Section 3:</u> That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 8th day of May, 2023, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

5 - Trustees Schiappa, Franzese, Paveza, Mital,

Mayor

Smith

NAYS:

0 - None

ABSENT:

1 - Trustee Snyder

APPROVED by the Mayor of the Village of Burr Rige on this

 8^{TH} day of May, 2023.

ATTEST:

Village Clerk

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

Outdoor Dining

Restaurant outdoor dining areas are areas set up adjacent to the exterior wall of a commercial building with tables, chairs, or other such furnishings, for the purpose of serving food and/or beverages by an adjoining restaurant in which the same food and beverages are offered for sale, sold, and served. Outdoor dining areas shall be subject, at a minimum, to the following:

- 1. Dining areas must be located adjacent only to the principal business to which the outdoor area is intended to serve;
- 2. No outdoor dining area shall be located so as to impede pedestrian traffic, or to obstruct curb cuts and the surrounding ramp and transition area, or to impede accessible access to and from the restaurant building;
- 3. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- 4. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- 5. All fences surrounding the outdoor seating area shall have matching elevations and colors;
- 6. The door to the dining area shall be self-closing;
- 7. The area may be covered by an awning protruding from the exterior wall of the adjacent building, provided the awning is properly anchored. Awnings are subject to review and approval by the Community Development Director or their designee and should be consistent with other awnings within the development. Awnings which are not consistent with the neighboring tenants are subject to Plan Commission review and approval;
- 8. Wall enclosures, whether permanent or temporary, are prohibited unless specifically approved through a special use;
- 9. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- 10. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- 11. There shall be no advertising, signs, logos, or leaflets on the tables, chairs, fences, umbrellas or railings;
- 12. All furniture shall be removed during the winter season and the outdoor dining areas shall not be occupied from November 1 through March 1. All furniture must be stored out of public view or off-site of the subject property when not in use;
- 13. Tables shall be cleaned promptly following use;
- 14. Outdoor food preparation, storage or display is prohibited;
- 15. The floor or ground surface of the outdoor seating area shall be treated and cleaned before and after each season to ensure the removal of all food stains and return it to a state consistent with other sidewalks in the area;
- 16. Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- 17. Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee. Outdoor dining areas shall comply with Zoning Ordinance Section IV, Noise Regulations;
- 18. Approval of outdoor dining areas shall be subject to the Village's adopted Building Codes;
- 19. Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

EXHIBIT A

Zoning Ordinance Section VIII Language for Outdoor Dining

20. Outdoor dining areas must be approved by the Community Development Director or their designee to determine final compliance with the regulations set forth herein.

PLANNED UNIT DEVELOPMENT REGULATIONS RELATED TO THE

SHOPPING CENTER AT 50-324 (EXCLUDING 150) BURR RIDGE PARKWAY

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

Operation within Enclosed Buildings

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

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

Signs

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

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

Design guidelines for Building Signs shall be defined as follows:

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

Outdoor Dining Area Regulations

Restaurant outdoor dining areas shall be subject to the following:

- Dining areas must be limited to the linear frontage of the principal business to which the outdoor area is intended to serve;
- Dining areas shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant if table service is provided or alcohol served in the outdoor dining area;
- Door to the dining area shall be self-closing;
- Tables shall be cleaned promptly following use;
- Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant, defined as being within 60" of a curbline or so as to impede the normal flow of pedestrian traffic into or from a doorway;
- Outdoor food preparation, storage or display is prohibited;
- All furniture must be stored in the rear or off-site of the subject property when not in use;
- Any and all outdoor dining areas must cease to be occupied not less than one-half hour prior to the closure of the principal business;
- Outdoor music, performances, and other such entertainment is prohibited within outdoor dining areas, except when specifically exempted by one-time permit by the Village Administrator or their designee;
- Approval of outdoor dining areas shall be subject to the Village's adopted building codes;
- Approval of outdoor dining areas may only be approved by the Village if they are also approved by the property owner;

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

Parking Design Regulations

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

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

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

Minimum Standards for Parking Stalls and Aisles

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

^{*}One-way aisles only

Parallel parking shall be permitted with stalls at least 24' in length with an aisle of 14' Accessible parking areas shall be designed in accordance with State requirements

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

Parking and Loading Regulations

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



V-08-2023: 11680 German Church Road (Village of Burr Ridge); Variations and Findings of Fact; Requests for four (4) variations from Section VI.J. and VI.I.12 of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front and side yard of a single-family residential zoned property, (2) a 6' tall fence, (3) a driveway gate 2' from the property line deviating from the 50' minimum requirement and (4) to replace the existing chain link box around the reservoir hatch with a chain link fence.

HEARING:

November 20, 2023

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Village of Burr Ridge

PETITIONER STATUS:

Owner

PROPERTY OWNER:

Village of Burr Ridge

EXISTING ZONING:

R-2A Single-Family Residential

LAND USE PLAN:

Recommends Single-Family Residential

EXISTING LAND USE:

Village Pump Center

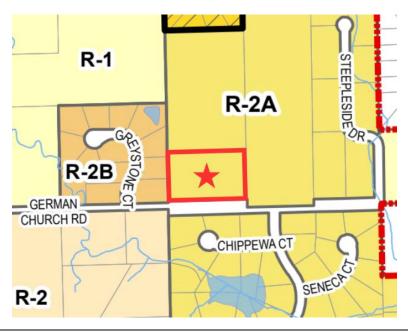
SITE AREA:

 \pm 150,000 sq. ft./3.5 acres

SUBDIVISION:

Pump Centre Subdivision





Staff Report and Summary

V-08-2023: 11680 German Church Road (Village of Burr Ridge); Variations and Findings of Fact

Page 2 of 5

The petitioner is the Village of Burr Ridge, the owners. The petitioner requests four variations from Zoning Ordinance Section VI.J. and VI.I.12, as detailed below. The petitioner requests to permit a 6' tall fence in the front yard within the front yard setback and within the side yards, a driveway gate 2' from the property line deviating from the 50' minimum requirement, and to replace the existing chain link fence enclosure around the reservoir hatch with chain-link. German Church Road serves as the front property line.

The Village requests the fence and gates because the pump center has sensitive underground facilities for the Village's water distribution system, which need to be secured in addition to the building itself. The proposed front gate will be motorized. Village employees, the police department, and the fire department will have access to the gate. An additional rear yard manual gate is requested to maintain the green space to the rear of the fence.



Aerial of the property with the property lines.

V-08-2023: 11680 German Church Road (Village of Burr Ridge); Variations and Findings of

Fact

Page 3 of 5



Proposed site plan with the illustrated variation requests.

Variations Requested (existing regulations with the variations detailed in *red italics*)

- Zoning Ordinance Section IV.J:
 - o Fences (IV.J.1.b.):
 - 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. *The fence is 6' and does not comply.*
 - 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). The petitioner is requesting a fence in the front and side yard, with the regulations requiring that a fence be located behind the rear wall of a building.
 - All fence posts and all supports must face the interior of the property on which it is located. *The fence faces the interior of the property*.
 - Chain link, barbed wire and fences which are electrically charged to produce a shock when touched are specifically prohibited. No fence shall have any sharp, dangerous, or impaling members. While the perimeter fence is aluminum and flat-topped, the fence around the reservoir hatch is chain link.
 - 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

Staff Report and Summary

V-08-2023: 11680 German Church Road (Village of Burr Ridge); Variations and Findings of

Fact

Page 4 of 5

entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence. *The fence is* 50% open and complies.

- Zoning Ordinance Section VI.I:
 - o Driveway Gates Residential Districts (VI.I.12):
 - Gates across private driveways shall be permitted on parcels in residential districts that are a minimum of 2 acres in area and have a front or corner side lot line with a minimum of 150 feet of street frontage. *The property is 3.5 acres and complies*.
 - Driveway gates are permitted in a front buildable area and are also permitted in the required front and corner side yard but not closer to the front or corner side lot line than 30 feet. However, for each 3 feet of lot frontage less than 220 feet, an additional one foot setback shall be provided. For example, for a 2 acre lot with 160 feet of lot frontage, the minimum required setback from the front lot line shall be 50 feet [30+((220-160)/3) = 50]. (Amended by Ordinance A-834-13-11). The driveway gate is 2' from the property line and does not comply.
 - One gate per driveway is permitted. *Only one gate is proposed.*
 - Driveway gates and related architectural entrance structures may not exceed six feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence. The driveway gate is 6' in height.
 - The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron, or similar materials. *The driveway gate is aluminum*.
 - Driveway gates are subject to the issuance of a permit and are subject to access requirements by the Fire District having jurisdiction over the property. (Amended by Ordinance A-834-24-07 and Ordinance A-834-26-08) The fire department will have access to the gate and property.

Public Hearing History

In 1986, the property was zoned from R-5 Single-Family Residential to R-1 Single-Family Residential with a conditional permitted special use for a water pumping station and reservoir through Ordinance #A-454-26-86. In 2013, the property was zoned from R-1 Single-Family Residential to R-2A Single-Family Residential through Ordinance #A-834-31-13.

Public Comment

One public comment was received and is included as Exhibit A.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. The Plan Commission may wish to make one motion for the four variation requests or separate them into individual motions. If the Plan Commission chooses to recommend approval of V-08-2023, a request for three (3) variations from Section VI.J. and VI.I.12 of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front and side yard of a single-family

Staff Report and Summary V-08-2023: 11680 German Church Road (Village of Burr Ridge); Variations and Findings of Fact Page 5 of 5

residential zoned property, (2) a 6' tall fence, (3) a driveway gate 2' from the property line deviating from the 50' minimum requirement and (4) to replace the existing chain link box around the reservoir hatch with a chain link fence, staff recommends the following condition:

1. The fences and gate shall substantially comply with the plans submitted by the petitioners and included as Exhibit A.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations
- Public Comments
- Public Notifications

Exhibit B - Ordinance #A-834-31-13 & Ordinance #A-454-26-86.



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):Village of Burr Ridge			
STATUS OF PETITIONER:			
PETITIONER'S ADRESS: 7660 S. County Line Road Burr Ridge IL 60527			
ADDRESS OF SUBJECT PROPERTY: 11680 German Church Road			
PHONE: (630) 654-8181 ext 6000			
EMAIL: dpreissig@burr-ridge.gov			
PROPERTY OWNER: Village of Burr Ridge			
PROPERTY OWNER'S ADDRESS: 7660 S. County Line Road PHONE: (630) 654-8181 ext. 6000			
PUBLIC HEARING REQUESTED: Special Use Rezoning Text AmendmentX Variation(s)			
DESCRIPTION OF REQUEST:			
To increase the security of the Pump Center, the Village of Burr Ridge wishes to erect a six (6) feet high fence along the perimeter of the property measuring a total length of approximately eight and fifty (850) linear feet. Additionally, two gates will allow access to the property: a motorized gate on the south side across the driveway connecting to German Church Road, and a manual gate on the north side to allow access to the back part of the property. Finally, the replacement of the chain fence "box" that currently secures the reservoir hatch with the exact same style as currently exists.			
PROPERTY INFORMATION (to be completed by Village staff)			
PROPERTY ACREAGE/SQ FOOTAGE; 150,000 sq. ft/ 3.5 acres EXISTING ZONING: R-2A Single-Family Residential			
EXISTING USE/IMPROVEMENTS: Pump Center			
SUBDIVISION: Pump Centre Subdivision			
PIN(S) #18311030			
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.			
11/14/2023			
Petitioner's Signature / Date of Filing			

Address:

11680 German Church Road

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

- a. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out
 - Located on the property are sensitive underground facilities for the Village's water distribution system. These must be secured from unauthorized vehicular and pedestrian traffic.
- b. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.
 - This facility is used for Village services and thus does not yield any return outside the services provided.
- c. The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.
 - The property is unique due to being an operating facility of the Village of Burr Ridge.
- d. The purpose of the variation is not based primarily upon a desire to increase financial gain.
 - The securing of the property with a fence will not yield any financial gain.
- e. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.

Correct.

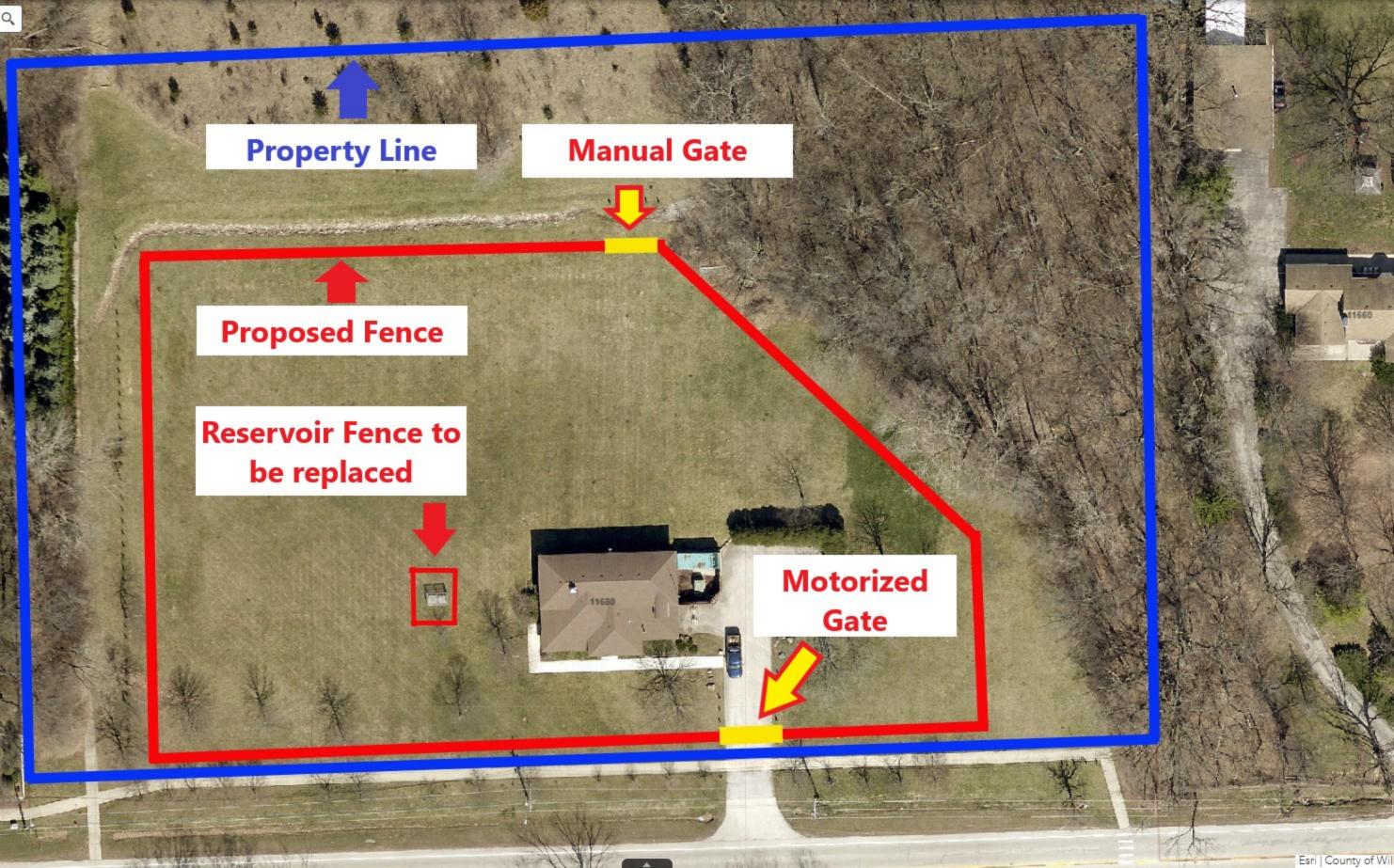
- f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 - It will not. Securing the Pump Center grounds will improve public welfare and safety by controlling access to the site's sensitive areas and equipment.

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

It will not. The fence will be similar in height and style to the fences on adjacent properties, and the gates will be similar to those found in the Village

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

 It will not. Public safety will increase due to the greater security of the Pump Center which supplies the water for the entire Village.
- i. The proposed variation is consistent with the official Comprehensive Plan of the Village of Burr Ridge and other development codes of the Village.
 It is.



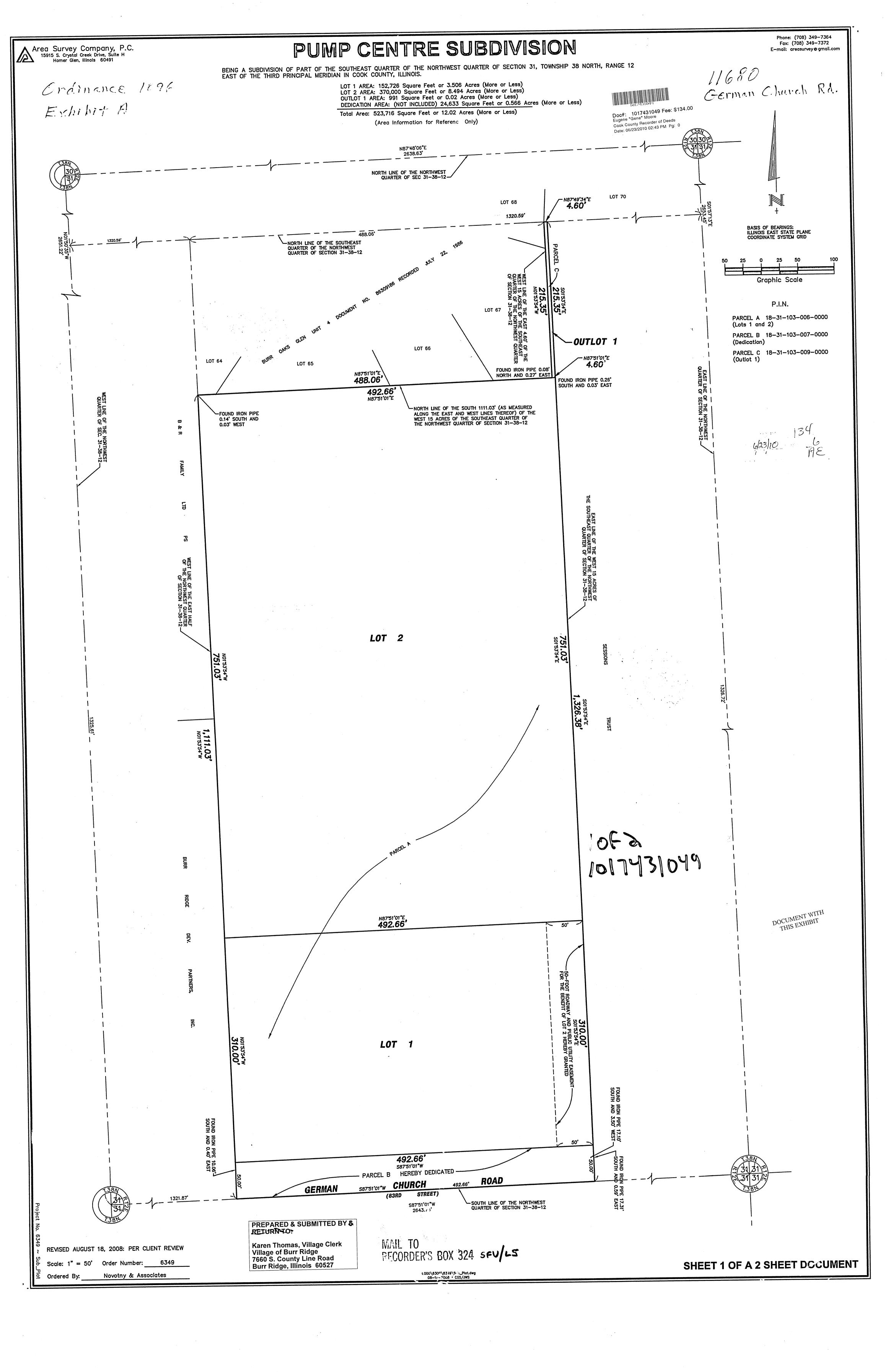












BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12

Owner's Certificate

EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

STATE OF ILLINOIS) COUNTY OF COOK) s.s. COUNTY OF DuPAGE)

THIS IS TO CERTIFY THAT THE VILLAGE OF BURR RIDGE IS THE SOLE OWNER OF RECORD OF THE HEREON DESCRIBED LAND, AND HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED, AS SHOWN ON THIS PLAT OF SUBDIVISION FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.

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

APPROVED AND ACCEPTED THIS 27 DAY OF COSULTY A.D., 2008. THE VILLAGE OF BURR' RIDGE (A MUNICIPAL CORPORATION) Mayor こんしん ロエア しゅいここ

Owner's - School District Certificate

Notary Certificate

Village Engineer's Certificate

· 062-054531.

Surface Water Draipage Certificate PROFESSIONAL

ENGINEER

Grasso Village Mayor

PROFESTIONAL .

STATE OF ILLINOIS) COUNTY OF COOK) s.s. COUNTY OF DuPAGE)

THIS IS TO CERTIFY THAT THE VILLAGE OF BURR RIDGE IS THE SOLE OWNER OF RECORD OF THE HEREON DESCRIBED LAND, AND HEREBY CERTIFIES THAT THE SUBJECT PROPERTY IS LOCATED WITHIN THE FOLLOWING SCHOOL DISTRICTS:

Pleasantdale School District 107 Lyons Township High School, North and South, District 204

THE VILLAGE OF BURR RIDGE (A MUNICIPAL CORPORATION)

STATE OF ILLINOIS) COUNTY OF COOK) s.s. COUNTY OF DuPAGE)

_, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT GARY GRASSO AND KAREN THOMAS, RESPECTIVELY THE MAYOR AND CLERK OF THE VILLAGE OF BURR RIDGE, PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THIS SUBDIVISION PLAT AS OWNERS, AS SUCH MAYOR AND CLERK, RESPECTIVELY, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THIS SUBDIVISION PLAT AS THEIR OWN FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THERIN SET FORTH.

JULIE A. TEJKOWSKI NOTARY PUBLIC, STATE OF ILLINGIS MY COMMISSION EXPIRES 6-7-2012 MY COMMISSION EXPIRES:

STATE OF ILLINOIS) COUNTY OF COOK) s.s.

COUNTY OF DuPAGE) engineer OF BURR RIDGE, ILLINOIS, HEREBY CERTIFY THAT THE PUBLIC IMPROVEMENTS PAUL D. MAY IN THIS SUBDIVISION, AS SHOWN BY THE PLANS AND SPECIFICATIONS THEREFOR, MEET THE MINIMUM REQUIREMENTS OF SAID VILLAGE AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION

DATED AT BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS, THIS _ DAY OF NOTE A.D., 2008.

W. Village Engineer

STATE OF ILLINOIS) COUNTY OF COOK) s.s.

SAID ACT MADE THEREON.

COUNTY OF DuPAGE) WE HEREBY CERTIFY THAT THE TOPOGRAPHICAL AND PROFILE STUDIES REQUIRED BY THE ILLINOIS PLAT ACT, ILL. REV. STAT., CH. 109, SEC. 1 ET SEQ., AS NOW OR HEREAFTER AMENDED, HAVE BEEN FILED WITH THE MLLAGE OF BURR RIDGE, A MUNICIPAL CORPORATION IN COOK AND DUPAGE COUNTIES, ILLINOIS, AND THE CERTIFICATION AS TO DRAINAGE REQUIRED BY

DAY OF NOY. Registered Professional Engineer License No. 062 - 05453

STATE OF ILLINOIS) COUNTY OF WILL) s.s.

I, THOMAS J. CESAL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, BEING THE SURVEYOR WHO PREPARED THE PLAT OF SUBDIVISION ENTITLED: "PUMP CENTRE SUBDIVISION" DO HEREBY AUTHORIZE THE VILLAGE OF BURR RIDGE OR ITS ATTORNEYS TO RECORD SAID DOCUMENT.

AREA SURVEY COMPANY. P. C.

THOMAS J. CESAL ILLINOIS PROFESIONAL LAND SURVEYOR, NO. 2205

I DO NOT FIND ANY DELINQUENT GENERAL TAXES UNPAID CURRENT GENERAL, TAXES DELINQUENT SPECIAL ASSESSMENTS OR UNPAID CURRENT SPECIAL ASSESSMENTS AGAINST THE TRACT OF LAND IN THE ABOVE PLAT.

ROADWAY AND PUBLIC UTILITY EASEMENT PROVISIONS

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

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

A ROADWAY EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF LOT 2 IS ALSO HEREBY GRANTED.

Special Assessment Certificate

STATE OF ILLINOIS COUNTY OF COOK) s.s. COUNTY OF DUPAGE

Jerry 6. Sapp. VILLAGE TREASURER OF THE VILLAGE BURR RIDGE, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR DEFERRED INSTALLMENTS OF ANY OUTSTANDING UNPAID SPECIAL ASSESSMENTS, WHICH HAVE NOT BEEN DIVIDED IN ACCORDANCE WITH THE PROPOSED SUBDIVISION AND DULY APPROVED BY THE COURT THAT CONFIRMED THE SPECIAL

DATED AT BURR RIDGE, COOK AND DUPAGE COUNTY, ILLINOIS, THIS 1/4/ Village Treasurer

Village Clerk's Certificate

DOCUMENT WITH THIS EXHIBIT

STATE OF ILLINOIS) COUNTY OF COOK) s.s. COUNTY OF DuPAGE)

Kingn J. Thomas , VILLAGE CLERK OF THE VILLAGE OF BURR RIDGE, ILLINOIS, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PRESENTED TO AND BY RESOLUTION OR ORDER DULY APPROVED BY THE BOARD OF TRUSTEES OF SAID VILLAGE AT ITS MEETING HELD ON

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

STATE OF ILLINOIS) COUNTY OF COOK) s.s.

CHURCH ROAD.

16 DAY OF JUNG -2008 A.D., AS TO ROADWAY ACCESS TO COUNTY HIGHWAY BALL ALSO KNOWN AS GERMAN

COUNTY ENGINEER Rupert Groham detel

STATE OF ILLINOIS) COUNTY OF WILL)

Surveyor's Certificate

THIS IS TO CERTIFY THAT I, THOMAS J. CESAL, PROFESSIONAL ILLINOIS LAND SURVEYOR No. 2205, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

PARCEL A:

THE SOUTH 1111.03 FEET, AS MEASURED ALONG THE EAST AND WEST LINES THEREOF, OF THE WEST 15 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 50.0 FEET, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL B:

THE SOUTH 50.00 FEET, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE THEREOF, OF THE WEST 15 ACRES OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL C:

THE EAST 4.60 FEET OF THE WEST 15.00 ACRES, EXCEPT THE SOUTH 1111.03 FEET. AS MEASURED ALONG THE EAST AND WEST LINES THEREOF, OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS;

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

I FURTHER CERTIFY THAT, BY SCALE MEASUREMENT ONLY, ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) COMMUNITY PANEL NO. 17031C0581J, WITH A REVISED DATE OF AUGUST 19, 2008, THE PROPERTY COVERED BY THIS PLAT OF SUBDIVISION LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.).

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

I FURTHER CERTIFY THAT IRON PIPES AT ALL LOT CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND TANGENCY IN ALL LOT LINES AND RIGHT-OF-WAY LINES AND THE CONCRETE MONUMENTS NOTED ON THIS PLAT ARE EITHER EXISTING OR WILL BE SET UPON COMPLETION OF EARTH GRADING.

GIVEN UNDER MY HAND AND SEAL AT HOMER GLEN, ILLINOIS, THIS 18TH DAY OF AUGUST, 2008.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 12205 (License Expiration Date: November 30, 2008) Illinois Professional Design Firm No. 184-002818

SURVEYOR

REVISED AUGUST 18, 2008: PER CLIENT REVIEW

Scale: 1" = 50' Order Number: Ordered By:

Novotny & Associates

6000\6300\6349\Sub. Plat.dwg 08-18-2008 * CSS/JWS

Return Original to:

Send Tax Bills to:

Village of Burr Ridge

7660 South County Line Road Burr Ridge, Illinois 60527

SHEET 2 OF A 2 SHEET DOCUMENT

From: John Hopkins
To: Ella Stern

Subject:V-08-2023:11680 German Church RoadDate:Friday, November 10, 2023 8:55:25 AM

Ella,

I am writing in response to the legal notice of public hearing that I received regarding 11680 German Church Road.

One of the lovely aspects of Burr Ridge is its lack of fences and the feeling of community and togetherness.

I am very against the idea of fences, especially in the front yard. Approving this will set precedent for others to request the same.

Please do not approve the request.

Thank you, John Hopkins 8150 Steepleside Drive Burr Ridge



MAYOR
GARY GRASSO
VILLAGE CLERK
SUE SCHAUS
VILLAGE
ADMINISTRATOR
EVAN WALTER

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on Monday, November 20, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by the Village of Burr Ridge for three (3) variations from Section VI.J. and VI.I.12 of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front yard of a single-family residence, (2) three separate fences in the side yard, with the regulations requiring that a fence be located behind the rear wall of a building and (3) a driveway gate 2' from the property line deviating from the 50' minimum requirement. The petition number and address of this petition is <u>V-08-2023: 11680 German Church Road</u>, and the Permanent Real Estate Index Number is <u>18-31-103-022-0000</u>

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 14, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

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

Greg Trzupek, Chairman

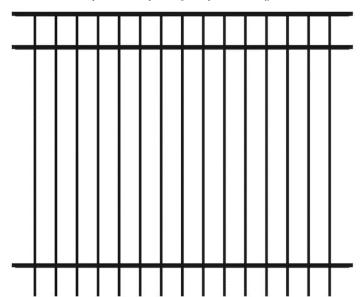
MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



www.burr-ridge.gov 630.654.8181



Proposed site plan of the fence and gate.



 $Proposed\ fence.$

Additional information is posted on the Village's website in the link below:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The November 20, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/agendas minutes.php

LISA WON	TERI MARTIN	THOMAS L SOUDAN
8225 STEEPLESIDE DR	1430 BROADWAY 17TH FLR	8492 ARROWHEAD FARM DR
BURR RIDGE, IL 60527	NEW YORK, NY 10018	BURR RIDGE, IL 60527
BRIDAL PATH COMM	J ANDRZEJEWSKI	BHARAT B MITTAL
8237 GREYSTONE CT	3 SENECA CT	601 MIDWEST CLUB
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	OAK BROOK, IL 60523
LYNN B MAGNESEN	RONALD E DAMPER	MTGLQ INVEDSTORS BY AS
8265 STEEPLESIDE DR	8120 WOODSIDE LN	15480 LAGUNA CANYON RD
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	IRVINE, CA 92618
GUY R FRANZESE	Susan Carr	CHARLES R JOHNSON
132 POST RD	8255 Steepleside Dr.	2 SENECA CT
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
SHASHI & NEELAM TANDON	VLADO LENOCH	THOMAS SOUDAN
8252 GREYSTONE CT	8101 WOODSIDE LN	8492 ARROWHEAD FARM DR
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
RATHINA K YALLAPRAGADA	TAXPAYER OF	EDWARD COLLEEN MAYES
6120 S ELM ST	8268 GREYSTONE CT	8253 GREYSTONE CT
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
THOMAS SOUDAN JR	MICHAEL MEGLEI	Y GIRGIS & H HANNA
8492 ARROWHEAD FARM	8340 ARROWHEAD FARM	8428 ARROWHEAD FARM
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
JUSTIN HOUCH	MAUNAK & UNATI RANA	DAVID & DENISE KENT
8250 STEEPLESIDE DR	8220 GREYSTONE CT	8 SENECA COURT
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
JEANNE L GUGLIELMI	ANTHONY CAIRO	JOHN HOPKINS
119 HERON AVE	8205 GREYSTONE CT	8150 STEEPLESIDE DR
NAPLES, FL 34108	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527
NICOLE HIGGINS	MICHAEL A PIZZUTO	ASHWINKUMAR DEVNANI
11801 GERMAN CHURCH RD	7650 S COUNTY LINE RD	3 CHIPPEWA CT
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	BURR RIDGE, IL 60527

TODD SCHULTZ 8285 STEEPLESIDE DR BURR RIDGE, IL 60527 GARY R LIPINSKI 5 SENECA CT BURR RIDGE, IL 60527 G ABBOUD 206 AMBRIANCE DR BURR RIDGE, IL 60527

RAYMOND CALVEY 8204 GREYSTONE CT BURR RIDGE, IL 60527 MIGDALIA REYES 8323 ARROWHEAD FARM DR BURR RIDGE, IL 60527 G J GOFRON 8311 ARROWHEAD FARM DR BURR RIDGE, IL 60527

WILLIAM MIKAITIS 8472 ARROWHEAD FARM DR BURR RIDGE, IL 60527 CAROLINE KOSTELNY 1400 SIXTEENTH 3RD FL OAK BROOK, IL 60523

LESTER TRILLA 6688 JOLIET RD INDIAN HD PK, IL 60525

DARIJUS CEPAS 8269 GREYSTONE CT BURR RIDGE, IL 60527 ZED FRANCIS 8237 GREYSTONE CT BURR RIDGE, IL 60527 MATTHEW R CALMEYN 8236 GREYSTONE CT BURR RIDGE, IL 60527

L WESLEY HAYDEN 1004 N PENINSULA NEW SMYRNA, FL 32169 GEORGE ARDELEAN 2 CHIPPEWA CT BURR RIDGE, IL 60527 JOSEPH SIWEK 4 SENECA CT BURR RIDGE, IL 60527

AMITOJ S MEHTA 8410 ARROWHEAD FARM DR BURR RIDGE, IL 60527 JAMES MARSZALEK 6 SENECA CT BURR RIDGE, IL 60527 JOE & SOPHIE LIGAS 8221 GREYSTONE CT BURR RIDGE, IL 60527

NSB HOME LLC 10S660 KINGERY HWY WILLOWBROOK, IL 60527 NASIR A SHAMSI 7 CHIPPEWA COURT BURR RIDGE, IL 60527

S & L ZAWIDEH 8368 ARROWHEAD FARM DR BURR RIDGE, IL 60527

MOHAMMAD H ALATTAR 8285 GREYSTONE COURT BURR RIDGE, IL 60527

EMANUEL VACCHIANTO 8110 WOODSIDE LN BURR RIDGE, IL 60527



VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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

Street Address of Subject Property:	11680 German Church Road	
Property Owner or Petitioner:	Village of Burr Ridge	
	(Signature)	



ORDINANCE NO. A-834-31-13

AN ORDINANCE REZONING THE 12-ACRE VILLAGE OWNED PUMP STATION PROPERTY FROM THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R-2A SINGLE FAMILY RESIDENTIAL DISTRICT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

(Z-20-2013: 11680 German Church Road)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of rezoning on October 21, 2013 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

whereas, public notice in the form required by law was provided for said public hearing not more than 30 nor less than 15 days prior to said public hearing by publication in the <u>Suburban Life</u>, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

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

NOW THEREFORE, Be It Ordained by the President and Board of

Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

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

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

- A. That the Village seeks to rezone its 12-Acre property at 11680 German Church Road from the R-1 District to the R-2A District.
- B. That the property is bounded by single-family residences in all directions and the proposed zoning is a single-family residential district.
- C. That the property is suitable for single-family residential development. It is relatively flat and has access to German Church Road.
- D. That all development in the area has been for single-family homes on relatively large lots. The proposed zoning is consistent with this trend. There have been no other recent changes in zoning in this area.
- E. That the Comprehensive Plan recommends single-family residential use for this property and recommends that all new residential development be on lots of 30,000 square feet or more. The proposed zoning is consistent with the Comprehensive Plan.

Section 3: That the 12-Acre property commonly known as 11680

German Church Road and with the Permanent Real Estate Index Numbers of 18-31-103-006, 18-31-103-007, and 18-31-103-009 is hereby rezoned from the R-1 Single Family Residence District to the R-2A Single-Family Residence District.

<u>Section 4</u>: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law. The Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 11th day of November, 2013, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Manieri, Ruzak, Franzese, Grasso Paveza, Bolos

NAYS: 0 - None

ABSENT: 0 - None

 ${\tt APPROVED}$ by the President of the Village of Burr Ridge on this 11 $^{\rm th}$ day of November, 2013.

Village President

ATTEST:

Village Clerk

ORDINANCE NO. A-454-26-86

ORDINANCE REZONING VILLAGE WATER STATION AND GRANTING A CONDITIONAL PERMITTED (SPECIAL) USE

WHEREAS, applications for rezoning of certain real estate and a conditional permitted (special) use for said real estate have been filed with the Village Clerk of this Village, and said applications have been referred to the Plan Commission of this Village, and have been processed in accordance with the Burr Ridge Zoning Ordinance, as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on whether the requested rezoning and conditional permitted (special) use should be granted, at which times all persons present were afforded an opportunity to be heard; and

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

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested rezoning and conditional permitted (special) use be granted with this President and Board of Trustees, and this President and Board of Trustees have duly considered said report and findings and recommendations;

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Burr Ridge, Cook and Du Page Counties, Illinois, as follows:

Section 1: That the report and findings and recommendations of the Plan Commission of this Village regarding the proposed requested rezoning and conditional permitted (special) use are herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. This President and Board of Trustees further find that the granting of the proposed rezoning and conditional permitted (special) use is in the public good and in the best interests of the Village and its residents, is consistent with the Comprehensive Plan of the Village, and is consistent with and fosters the purposes and spirit of the Burr Ridge Zoning Ordinance, as amended, as set forth in Section II thereof.

Section 2: That the Burr Ridge Zoning Ordinance, as amended, be further amended by reclassifying and rezoning the following described real estate:

Parcel A: The South 1111.03 feet, as measured along the East and West lines thereof, of the West 15 acres of the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 38 North, Range 12, East of the Third Principal Meridian, (Excepting the South 50.0 feet, as measured at right angles to the South line thereof), in Cook County, Illinois.

Parcel B: The South 50.0 feet, as measured at right angles to the South line thereof, of the West 15 acres of the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

Said property consists of approximately 12.5 acres of land on the north side of 83rd Street between County Line Road and the Village boundaries, and is commonly referred to as the Village Water Station Site.

from R5 Residence District to R1 Single Family Residence District.

Section 3: That this President and Board of Trustees, after considering the report and recommendations of the Plan Commission and other matters properly before it find, in addition to the findings set forth in Section 1 hereof, as follows in relation to the requested conditional permitted (special) use:

- (a) That there is a public necessity for the issuance of the conditional permitted (special) use since this use will provide the necessary technology and reservoir for the operation of the Village's water system, and the building has been specifically designed to look like a single family residence.
- (b) That the establishment, maintenance, or operation of the conditional permitted (special) use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare for the reasons set forth above - in fact, the use is necessary for the public health, safety and general welfare.
- (c) That the conditional permitted (special) use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted since it is specifically designed to appear as if it were a single family home on a large lot.
- (d) That the establishment of the conditional permitted (special) use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; in fact, the surrounding properties are capable of being served by the use.
- (e) That adequate utilities, access roads, drainage and the other necessary facilities have been or are being provided.
- (f) That adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the public streets.
- (g) That the conditional permitted (special) use shall in all other respects conform to the applicable provisions of the Burr Ridge Zoning Ordinance, as amended, for the district in which it is located.

Section 4: That the requested conditional permitted (special) use is hereby granted for said real estate described in

Section 2 above for a water pumping station and reservoir under the provisions of Section VI,B,2,J,(4) of the Burr Ridge Zoning Ordinance, as amended,

Section 5: That the zoning map of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, be amended so as to be in conformance with the rezoning and conditional permitted (special) use aforesaid.

Section 6: That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form and this Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED this $\underline{^{25\text{th}}}$ day of $\underline{^{\text{August}}}$, 1986, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Blahnik, Zucek, Murray, Polaski, Ahlgren & Irmen

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on the $\frac{25\text{th}}{}$ day of $\frac{}{}$ August , 1986.

Village President

ATTEST:



Z-11-2023: 407 Heathrow Court (Gillespie/Fortress Plus Solutions); Requests for a special use from Zoning Ordinance Section IV.J & X.F of the Burr Ridge Zoning Ordinance to permit (1) four total fences in a non-residential district and (2) to permit one of the fences within the 40' minimum front yard setback, located at a 38' setback.

HEARINGS:

November 20, 2023

TO:

Plan Commission Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Micheal Gillespie of Fortress Plus Solutions

PETITIONER STATUS:

Tenant

PROPERTY OWNER:

Austin Intelligence Group

EXISTING ZONING:

G-I General Industrial PUD

LAND USE PLAN:

Recommends Light Industrial Uses

EXISTING LAND USE:

G-I General Industrial PUD

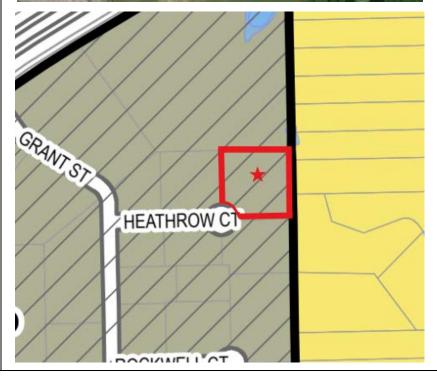
SITE AREA:

2.02 Acres

SUBDIVISION:

Burr Ridge Industrial Common Subdivision





Staff Report and Summary Z-11-2023: 407 Heathrow Court (Gillespie/ Fortress Plus Solutions); Special Use and Findings of Fact Page 2 of 3

The petitioner is Micheal Gillespie of Fortress Plus Solutions, the owner. Fortress Plus Solutions provides law enforcement with secure long-term evidence storage. The petitioner is requesting a special use in accordance with Section IV.J of the Burr Ridge Zoning Ordinance to permit four fences with gates in a non-residential district. The petitioner requests to install four fences, two in the front yard and two in the side yard. Two of the fences are around generators, and two of the fences are around door entryways. One of the fences is within the 40' minimum front yard setback.

The fences and gates are 8 feet tall, and spike topped. The gates will have a lock and a multifunctional keypad/card swipe to access the building. Only employees and tenants will have access to the security locks. The Fire Department has not seen the proposed site plan for the fences and gates. The Fire Department's approval is recommended but was not provided at the time of this report.

In non-residential districts, a fence requires a special use permit. Fences must meet the same requirements as those in the residential districts, and any deviation from those standards must be included as a condition.

Variations Requested (existing regulations with the variations detailed in *red italics*)

- Zoning Ordinance Section IV.J:
 - o Fences (IV.J.1.b.):
 - 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. *The fences are 8' and do not comply.*
 - 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). The petitioner is requesting a fence in the front yard and side yard, which is prohibited.
 - All fence posts and all supports must face the interior of the property on which it is located. *The fence faces the interior of the property and complies*.
 - Chain link, barbed wire and fences which are electrically charged to produce a shock when touched are specifically prohibited. No fence shall have any sharp, dangerous, or impaling members. The fences are spike-topped. Does not comply.
 - 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. The fences are 50% open and complies.

Staff Report and Summary

Z-11-2023: 407 Heathrow Court (Gillespie/ Fortress Plus Solutions); Special Use and Findings of Fact

Page 3 of 3

The standards for consideration of a special use pertaining to a non-residential fence shall be limited to the standards referenced below:

- 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. The Plan Commission will need to approve the spike-topped fences, the height of the fences and the location of the fences as conditions.

Within the Burr Ridge Industrial Common Subdivision area, only one property had a fence, 412 Rockwell Court. The fence was approved in 2017 for a fenced-in area for overnight and outdoor parking of vans and trucks. The fence is behind the rear of the building; it is 8' tall and made of cedar wood. (Ordinance #A-834-15-17, Permit 2018-0291)

Land Use and Site Plan

The property is surrounded by G-I General Industrial zoning as well as rear yards of residential homes.

Public Hearing History

No zoning action was found on file since the property was placed in its current zoning district classification.

Public Comment

No public comments were received.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. If the Plan Commission chooses to recommend approval of Z-11-2023, a request for a special use from Section VI.J. of the Burr Ridge Zoning Ordinance to permit (1) four total fences in a non-residential district and (2) to permit one of the fences within the 40' minimum front yard setback, located at a 38' setback, staff recommends the following condition:

- 1. The fences and gates shall substantially comply with the plans submitted by the petitioners and included as Exhibit A.
- 2. The spike-topped fences, 8' in height and located in the front and side yard, are permitted.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

- Application
- Findings of Fact
- Proposed site plan and illustrations
- Public Notifications



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): Fortress PIUS SOIUTIONS				
STATUS OF PETITIONER:				
PETITIONER'S ADRESS: PO BOX 414 WESTERN SPRINGS, IL 60558				
ADDRESS OF SUBJECT PROPERTY: 405-409 HEOTHYOW CT BUTT RIGGE IL 60527				
PHONE: (773) 805-8200				
EMAIL: MIKE@GIIIESPIEQUTOGROUP, COM				
PROPERTY OWNER: AUSTIN INTElliGENCE GROUP				
PROPERTY OWNER'S ADDRESS: 18834 W Grand AVE Lake VIIIQ IL 60096 (773) 805-8200				
PUBLIC HEARING REQUESTED: X Special Use Rezoning Text Amendment Variation(s)				
FORTIESS PIUS SOIUTIONS IS TEQUESTING A SPECIAL USE PERMIT FOR ON INSTALLATION OF A FENCE WITH 90168.				
PROPERTY INFORMATION (to be completed by Village staff)				
PROPERTY ACREAGE/SQ FOOTAGE: 2.02 acres existing zoning: GI-PUD				
EXISTING USE/IMPROVEMENTS: G - PUD				
SUBDIVISION: BUTT Ridge Industrial Common Subdivision				
PIN(S) #				
The above information and the attached Plat of Survey are true and accurate to the best of my knowledge. I understand the information contained in this petition will be used in preparation of a legal notice for public hearing. I acknowledge that I will be held responsible for any costs made necessary by an error in this petition.				
Petitioner's Signature Date of Filing				



Findings of Fact – Special Use Burr Ridge Zoning Ordinance

Address:

405-409 HEATHING CH BUTT RIDGE IL 60527

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

The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

At Fortress plus solutions, we provide IOW enforcement with secure long-term evidence storage. We would like to add an additional level of security by installing a fence with sates. The added level of b. The establishment, maintenance, or operation of the special use will not be detrimental to, or

- endanger the public health, safety, morals, comfort, or general welfare. The Installation of the fencing does not adversely affect public health, safety, morals, comfort or general welfore.
- The special use will not be injurious to the uses and enjoyment of other property in the immediate c. vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

took sildud on of efficient months on our possed on our location, there is little to no public foot or venicular traffic our property is on a dead and street, the fencing will increase property value by adding to the overall security of the building.

The establishment of the special use will not impeded the normal and orderly development and

improvement of the surrounding property for uses permitted in the district. The fencing will not have an eafled on any other property in the area, our property is located

OH A deadend and is surrounded on two sides of wet lands. The fencing will not impact development because there is not a possibility of developing around our property.

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

si grant, enibiliud ruo ot tneopolopo bno tnorf ni vitogrib para ant ot betimil ad Iliw enionaf ant no change to the accessibility of utilities roads, and drainage.

Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The gates will be monitored 2417 to allow access needed to our facility. The location of the fencing and 90485 Will not be accessible to the public only employees and customers (by appointment only) will encounter fencing and 90485.

g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of

the Village of Burr Ridge as amended. 100. Eniblive two to lagger drup gat enignand thoughly enibling the viruings ant of boa of 21 tratain the building now woodlands to the north and east, there is also a tree line running along the east property line. Our protectly is not immediately visible from our Rigge residents. The installation of fences and gates will be in line h. The special use shall, in other respects, conform to the applicable regulations of the district in with the

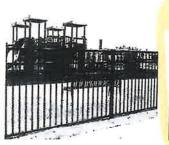
which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

aratobreamocoson wolloo vibale ilm sw.tartaib lointsubni trigiin ni botoool zi enibliud nuo of the Pian commission or zoning board of appeals. It is our belief that due to the 1000 His estate bur our building and the surrounding land the fencing and gottes will not adversely effect the beauty of the area.

1,001970 COM DIENSUSIVE PION OF 70 98011iv Burr Ridge

Industrial Ornamental Steel Fence



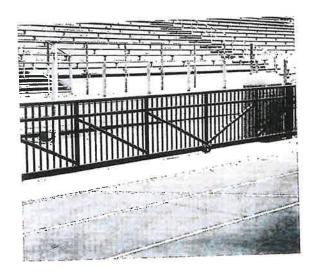






Built for strength yet a penchant for beauty, Montage II is an industrial grade steel fence that delivers on both levels. Superior welding techniques create a profile that lends itself to landscaping design while maintaining a level of perimeter security that is unmatched.

- State Facilities
- Government Facilities
- Airports
- Water Treatment & Storage
- Public Housing Authorities
- Parks & Recreation
- Stadiums & Event Centers
- Universities
- Hospitals
- K-12 Schools



Montage II gate options vary from swing gates for pedestrian or vehicle access to sliding gates for high-functioning points of entry. Each of these gate systems is individually constructed to provide project specific performance.









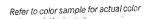








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MONTAGE PRODUCTS

Pq. 1/2

POOL YES **✓** NO

1025 Industrial Drive, Bensenville, Illinois 60106 Phone (630) 860-5188

www.cardinalfenceinc.com

nal Fence & Supply, Inc. HOME WORK/ 847.922.2028 Aug. 10, 2023 PERMIT # Cust LEAD TIME 2 WEEKS PHONE Fortress Plus Solutions - Peter peter@fortressplussolutions.com 18834 W. Grand JOB SITE 405-409 Heathrow Ct. CITY/STATE/ZIP Gurnee, IL 60031 CITY/STATE/ZIP Burr Ridge IL FENCE STYLE CARDINAL FENCE TO FURNISH MATERIALS AND LABOR NECESSARY TO COMPLETE THE FOLLOWING: Montage Commercial 8' TALL BLACK MONTAGE COMMERCIAL INVINCIBLE STYLE STYLE SPECIFICATIONS / ADDITIONS ORNAMENTAL IRON FENCING, AS PER DRAWINGS. Invincible Style FOOTAGE MATERIAL 8' BLACK VERTICAL BOARDS TRIM BOARDS RAILS TERM POSTS LINE POSTS FOOTINGS 2 1/2' 2 1/2" 42" SINGLE GATES 4 @ 4' WIDE 2 1/2" DOUBLE POSTS STRAIGHT TOP / NOT LEVEL FOLLOW GRADE ALONG CONTOUR STEPPED TOE NAIL ☐ FACE NAIL SOIL: LEAVE □ SPREAD ☐ PILE # CONCRETE BREAKS # ASPHALT BREAKS 0 # CORE DRILLS # SAW CUTS n TAKE DOWN HAUL AWAY FT # CONCRETE BUTTS PULLED 0 UNDERGROUND UTILITIES ☐ Yes ■ No CARDINAL FENCE WILL CONTACT ALL PUBLIC UNDERGROUND UTILITY LOCATOR COMPANIES. ACCESSIBLE ELECTRIC Yes Yes ■ No **CUSTOMER TO CLEAR FENCELINE** ■ No ESTIMATOR TO EXPLAIN IN CONTRACT: "LEAD TIME SUBJECT TO AVAILABILITY OF MATERIALS" PLEASE READ ALL INFORMATION AND CONDITIONS ON THE REVERSE SIDE OF THIS CONTRACT. THE CUSTOMER'S SIGNATURE BELOW IS

ACKNOWLEDGEMENT AND LEGAL ACCEPTANCE OF ALL CONTRACT CONDITIONS CONTAINED ON BOTH SIDES OF THIS CONTRACT.

Price guetad in for narmal installation				terms of sale,
\$27,132.00	\$13,566.00	\$13,566.00	9/1/23	(18% per year) will be assessed or balance past due in accordance with the
OOM TRACT PRICE	DEPUSIT	BALANCE DUE ON COMPLETION	PROPOSAL GOOD UNTIL:	A service charge of 1-1/2% per month

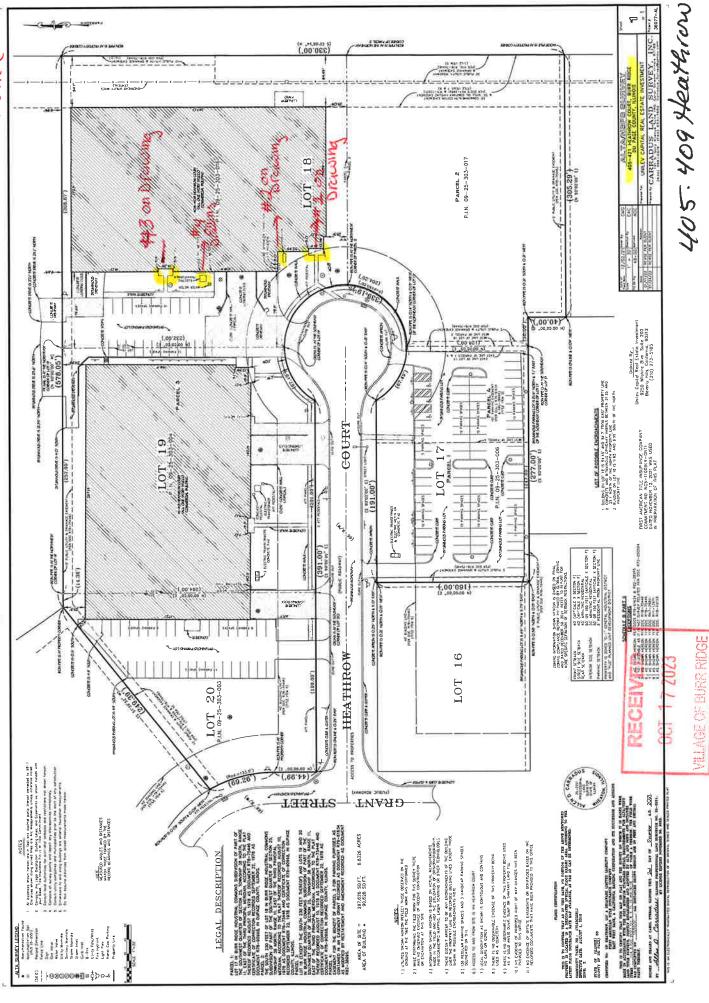
Price quoted is for normal installation. If unforeseen or unusual conditions (underground: rock, asphalt, concrete, miscellaneous debris, etc.) are discovered that necessitate additional labor or equipment, additional charges will be added to the contract price. Cardinal Fence is obligated only by what is written in the contract. No verbal agreements will be considered valid. Work will be done as per contract specifications. All agreements are contingent upon accidents or delays beyond our control. Installation is guaranteed for the life of fence of original purchaser against any defects resulting from improper workmanship, other than wood and PVC gates, which are guaranteed for one (1) year. Cardinal Fence does not assume any responsibility concerning property lines, easements, or other restrictions or in any way guarantees their accuracy. In the event Cardinal Fence does not approve this Proposal, any deposit made shall be refunded to the customer and this Proposal shall become null and void. In the case of non-payment, Cardinal Fence has the right to remove all material and the customer's deposit will be applied to Cardinal's damages. If payment is not received within 30 days of completion, all guarantees are void. Customer agrees to pay interest stated herein and all costs incurred, including legal fees of collection or to affirm all rights hereunder. If any of these terms are deemed invalid, all other terms remain valid. The prices, specifications and conditions herein and as stated on both sides of this contract are satisfactory and are hereby accepted. Cardinal Fence is authorized to do the work as specified. Payments will be made as outlined above.

RECEIVED
OCT 17 2023
VILLAGE OF BURR RIDGE

Customer's Signature X HTG. 100	
Company Representative	Date 8/7/23
Company Approval	
	FORM#1

8 tall Black Montage Invincible Iron Fence

23·408



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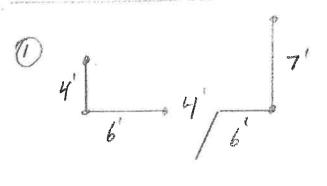
Fence & Supply, Inc.

COMMERCIAL • RESIDENTIAL • INDUSTRIAL

www.cardinalfenceinc.com

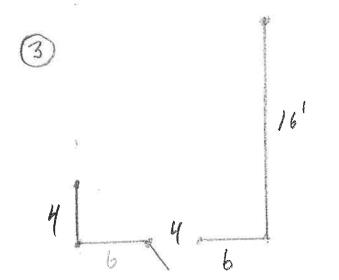
1025 Industrial Drive Bensenville, Illinois 60106 office@cardinalfenceinc.com TEL (630) 860-5188

8 MONTAGE INVINCIBLE DRAWINGS



Around Senerator

2) Aramá arol 15



VILLAGE OF BURR RIDGE



MAYOR
GARY GRASSO
VILLAGE CLERK
SUE SCHAUS
VILLAGE
ADMINISTRATOR
EVAN WALTER

LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission and Zoning Board of Appeals of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, will conduct the following Public Hearing beginning at 7:00 p.m. on Monday, November 20, 2023, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.

PURPOSE OF HEARING

The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Fortress Plus Solutions for a special use for a fence in a non-residential district in accordance with Section IV.J of the Burr Ridge Zoning Ordinance. The petition number and address of this petition is **Z-11-2023: 407 Heathrow Court**, and the Permanent Real Estate Index Numbers are **09-25-303-016-0000**.

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, November 14, 2023. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

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

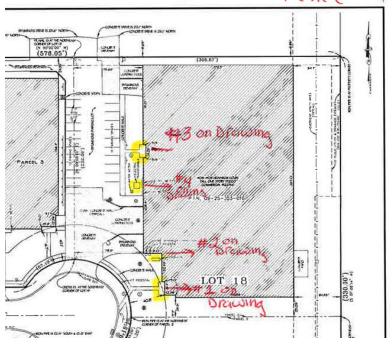
Greg Trzupek, Chairman

MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.



The site is outlined in red

8'tall Black Montage Invincible Iron Fence





Proposed fence.

Additional information is posted on the Village's website in the link below:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/index.php

Burr Ridge homepage – Government – Boards, Committees, and Commissions – Plan Commission & Zoning Board of Appeals – Upcoming Public Hearing Petitions

The November 20, 2023 Plan Commission meeting agenda packet will be posted the Thursday before the meeting and will be available on the website here:

https://www.burr-

ridge.gov/government/boards committees commissions/plan commissions zoning board of appeals/agendas minutes.php

FNBH TRUST L-697	ERIN, ELIZABETH D	HOWE, PATRICIA
327 W 79TH ST	7524 S HAMILTON AVE	7600 HAMILTON AVE
BURR RIDGE, IL 60521	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
CHAHIN, ABDULLAH	GRAVES, SCOTT & ANDREA	PATTERSON, MARILYN
7810 HAMILTON AVE	7800 HAMILTON AVE	7630 S HAMILTON AVE
BURR RIDGE, IL 60527	HINSDALE, IL 60521	BURR RIDGE, IL 60521
HADLEY JR, ANTHONY J	SCHLOSSER, CAMERINA	SCHMEICHER, JACK
7749 GRANT ST	9124 S KEELER AVE	7712 S HAMILTON AVE
BURR RIDGE, IL 60525	OAK LAWN, IL 60453	BURR RIDGE, IL 60527
LAYKO PROPERTIES	PROPERTIES, LAYKO	ETCON CORPORATION
100 SHORE DR	100 SHORE DR APT. 2	7750 GRANT ST
BURR RIDGE, IL 60521	BURR RIDGE, IL 60527	BURR RIDGE, IL 60521
UP HEATHROW LLC	GRAVES, JILL S	ROHNER, RICHARD E & AMY L
1 OAKBROOK TERR APT. 400	7720 S HAMILTON AVE	331 W 79TH ST
OAKBROOK TERR, IL 60181	BURR RIDGE, IL 60521	BURR RIDGE, IL 60521
ARAMARK UNIFORM & CAREER	JOVIC, KAMENKO & DIANE	DRAHOS, PETER & G GARCIA
115 N 1ST ST	7920 DEER VIEW CT	7612 HAMILTON AVE
BURBANK, CA 91502	BURR RIDGE, IL 60521	BURR RIDGE, IL 60527
PETROVSKI, TONI & OLIVERA	MARS SNACKFOOD US	LEWIS, J L
7512 HAMILTON AVE	1 PPG PLACE APT. 2810	7701 GRANT ST
BURR RIDGE, IL 60527	PITTSBURGH, PA 15222	BURR RIDGE, IL 60527
LAYLAND JR, H K	HARRISON JR, IVAN & JANET	UP HEATHROW LLC
100 SHORE DR APT. 2	7518 HAMILTON AVE	1 OAKBROOK TER APT. 400
BURR RIDGE, IL 60527	BURR RIDGE, IL 60527	OAKBROOK TERR, IL 60181
BURR RIDGE REAL ESTATE	POKORNEY TRUST	SPENCER INVESTMENT GROUP
7725 GRANT ST	323 W 79TH ST	513 ROGERS ST
BURR RIDGE, IL 60521	BURR RIDGE, IL 60527	DOWNERS GROVE, IL 60515
SHEPUTIS, JAMES 7700 S GRANT ST	WALNUT FIFTY 401K PLAN TR 8361 DOLFER COVE	

BURR RIDGE, IL 60527

BURR RIDGE, IL 60527

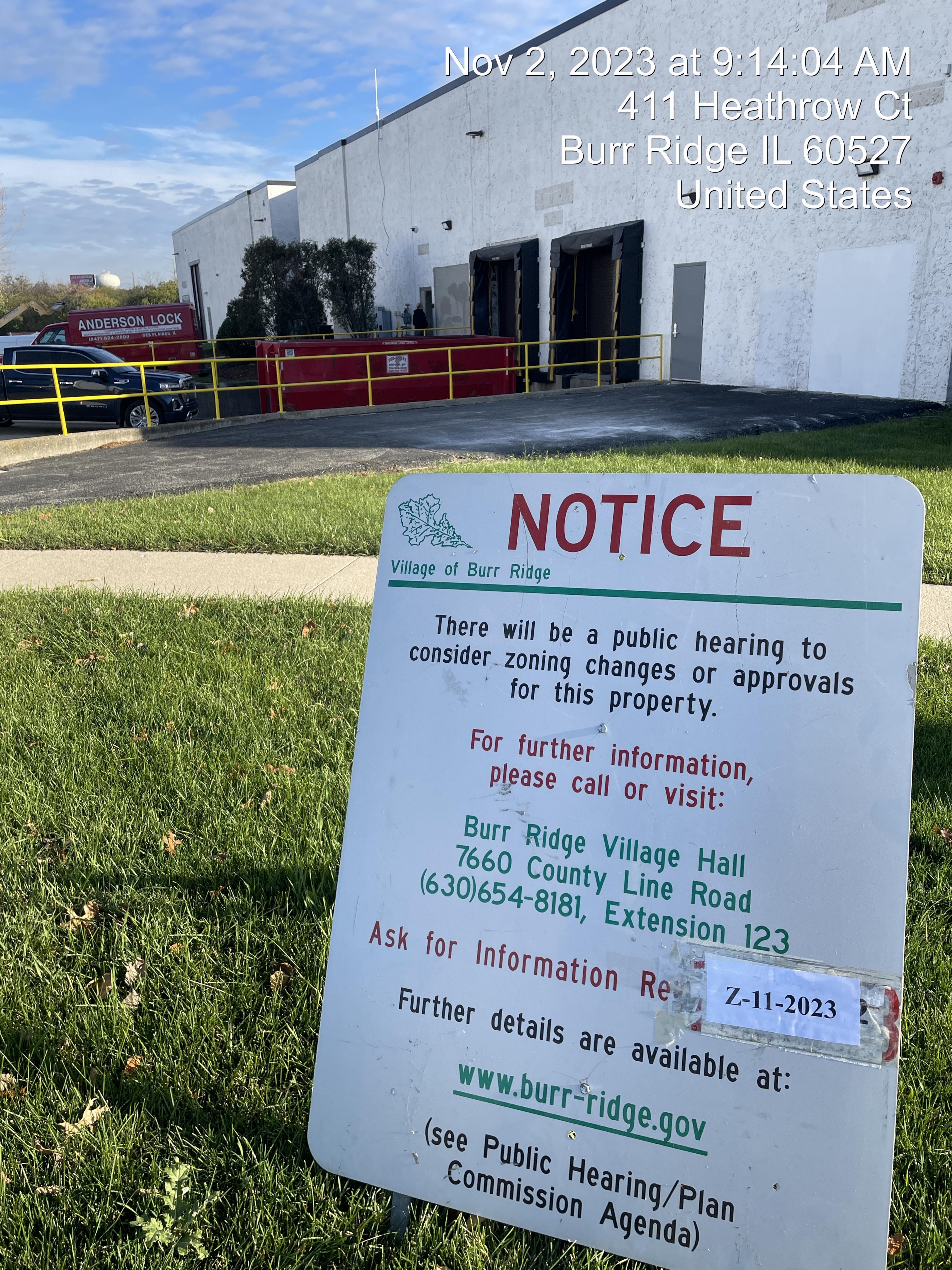


VILLAGE OF BURR RIDGE PLAN COMMISSION AND ZONING BOARD OF APPEALS

Consent to Install Public Notice Sign

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

Street Address of Subject Property:	405-409 HEATHYOW CH BUTT RIDGE IL 60525		
Property Owner or Petitioner:	MICHAEL GILLESPIC		
	(Signature)		





VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission

Greg Trzupek, Chairman

FROM: Janine Farrell, AICP

Community Development Director

DATE: November 20, 2023

RE: Board Report

The Board of Trustees took the following actions relative to matters forwarded from the Plan Commission on November 13, 2023.

• V-01-2023: 6301 County Line Rd. (Zaffar)

o The Board approved an Ordinance approving a request for a variation to permit a deck in the front yard/south side of the residence.

• V-05-2023: 724 Tomlin Dr. (Szymski)

o The Board directed staff to approve an Ordinance approving a variation to permit a fence in the front/side yard. The petitioner withdrew the request to permit a fence in the corner side yard after receiving unanimous denial from the Commission. The recommendation was unchanged from the Plan Commission.

Gates and Fences Text Amendment

o The Board directed the Plan Commission to hold a public hearing on driveway gates and fences in residential districts. The potential text amendment should (1) evaluate permitting fences behind the true rear wall of the home on corner lots where the front of the home may face the corner side yard, and (2) permitting driveway gates and associated architectural entrance structures on lots less than 2 acres and/or 40,000 sq. ft. in area. This text amendment will be on the December 4th Plan Commission agenda.

BR

Permits Applied for October 2023

11/08/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JCA-23-398	10/04/2023	340 Shore Dr	DLR Group 1430 Locust, #200 Des Moines IA 50309	Com Alteration
JCA-23-419	10/30/2023	124 Tower Dr	Ahmer & Sons Inc. 8625 W. 145th St. Orland Park IL 60462	Com Alteration
JCMSC-23-389	10/02/2023	15W 460 North Frontage RD	Rose Paving Company 7300 W 100th Pl Bridgeview IL 60455	Commercial Miscellaneous
JCMSC-23-399	10/03/2023	ROWs DuPage Locations	ENTRUST Solutions Group 28100 Torch Parkway, Suite 400 Warrenville IL 60555	Comm ROW
JCMSC-23-409	10/17/2023	7850 Grant St	Crowne Industries, Ltd. 651 S. Sutton Road, #214 Streamwood IL 60107	Commercial Miscellaneous
JGEN-23-410	10/20/2023	15W0 35 W 80th St	Homeowner	Generator
JPAT-23-394	10/02/2023	9S 241 MADISON ST	Homeowner	Patio
JPAT-23-403	10/05/2023	6539 Manor Dr	Hardscape Group Inc 9923 Walker Rd Yorkville IL 60560	Patio
JPAT-23-413	10/18/2023	62 Deer Path Trail	Zbl Concrete 1361 Washburn Way Lockport IL 60441	Patio



Permits Applied for October 2023

11/08/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JPAT-23-418	10/26/2023	8124 Park Ave	Ken's Landscaping and Supply, Inc. 8535 Arizona Trail Willow Springs IL 60480	Patio
JPF-23-393	10/02/2023	9S 241 MADISON ST	Homeowner	Fence Permit
JPF-23-396	10/03/2023	8119 Garfield Ave	On Guard Fence LLC 12097 Blackthorne Rd Mokena IL 60448	Fence Permit
JPF-23-404	10/06/2023	208 W 59th St	Ameridream Fence 1419 E. Cass Street Joliet IL 60432	Fence Permit
JPF-23-406	10/11/2023	1- 25 Tartan Ridge Rd	First Fence 4900 Harrison St Hillside IL 60162	Fence Permit
JPF-23-408	10/17/2023	405- 409 HEATHROW CT	Cardinal Fence and Supply 1025 Industrial Drive Bensenvile IL 60106	Fence Permit
JPPL-23-405	10/06/2023	208 W 59th St	Aqua Pools, Inc. 13445 W 159th St. Homer Glen IL 60491	Pool
JPS-23-415	10/20/2023	901 McClintock Dr.	Doyle Signs, Inc 232 W. Interstate Rd. Addison IL 60101	Sign
JPS-23-416	10/24/2023	601 Burr Ridge Pkwy	Parvin-Clauss Sign Company 165 Tubeway Drive Carol Stream IL 60188	Sign

	Permits Applied for October 2
11/08/2023	

				No.
Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-23-395	10/02/2023	9S 241 MADISON ST	Homeowner	Residential Alteration
JRAL-23-397	10/03/2023	333 LAKEWOOD CIR	Hinsdale Nurseries 7200 S. Madison St Hinsdale IL 60521	Right-of-Way
JRAL-23-400	10/03/2023	ROWs DuPage Locations	PirTano Construction Co. 1766 Armitage Ct. Addison IL 60101	Right-of-Way
JRAL-23-402	10/05/2023	9525 Pacific Ct	CK Construction LLC 1521 Wright Blvd Schaumburg IL 60193	Residential Alteration
JRAL-23-407	10/16/2023	ROWs DuPage Locations	Dynamic Utility Solutions & Intren 18202 W. Union Rd. Union IL 60180	Right-of-Way
JRAL-23-412	10/18/2023	11744 Woodside Ct	Homeowner	Right-of-Way
JRAL-23-414	10/23/2023	7349 Park Ave	Irish Castle Paving 7701 W 99th St Hickory Hills IL 60457	Right-of-Way
JRAL-23-417	10/25/2023	11208 73rd Pl	Damco Development 6431 Tennessee Ave Willowbrook IL 60527	Right-of-Way
JRES-23-411	10/17/2023	11700 German Church Rd	B&A Builders 8146 W 45th Street Lyons IL 60534	Residential Miscellaneous





Permits Applied for October 2023

11/08/2023

Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRPE-23-401	10/04/2023	124 Stirrup Ln	Power Saver Electric 1553 71st Terrace Downers Grove IL 60516	Res Electrical Permit

TOTAL: 28



Permits Issued October 2023

11/09/2023

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
SKP Management	JCA-23-313	10/09/2023	101 Burr Ridge Pkwy	Com Alteration	10,000	
Premier Early Childhood	JCA-23-321	10/18/2023	6880 N Frontage Rd Ste 100	Com Alteration	275,000	
Austin Intelligence Group	JCA-23-391	10/20/2023	405- 409 HEATHROW CT	Com Alteration	90,000	
Double Good	JCMSC-23-365	10/12/2023	16W 30 83RD ST	Commercial Miscellaneous	300,000	
AAA Painting & Construction I	nc. JCMSC-23-373	10/12/2023	7958- 7978 Garfield Ave.	Commercial Miscellaneous	7,800	
Rose Paving Company	JCMSC-23-389	10/06/2023	15W 460 North Frontage RD	Commercial Miscellaneous	2,094,490	
Austin Intelligence Group	JCMSC-23-390	10/19/2023	405- 409 HEATHROW CT	Commercial Miscellaneous	20,000	
ENTRUST Solutions Group	JCMSC-23-399	10/16/2023	ROWs DuPage Locations	Comm ROW ComEd utility work		
Jpright Fences Downright Deck	ks &JDEK-23-382	10/17/2023	15W 750 Shephard Ln	Deck	20,000	
Snow Sport LLC	JDS-23-366	10/06/2023	7310 Giddings Ave	Demolition Structure (House and Garage	e)	
Arrowhead Brick Pavers, Inc.	JPAT-23-381	10/04/2023	7608 Drew Ave	Patio	28,000	
Arrowhead Brick Pavers, Inc.	JPAT-23-384	10/03/2023	15W 210 77TH AVE	Patio	30,000	
Alvaro Davalos	ЛРАТ-23-394	10/09/2023	9S 241 MADISON ST	Patio	10,500	
Peerless Enterprises Inc. DBA F	Free JPF-23-368	10/31/2023	8891 S Madison	Fence Permit	16,400	
Classic Fence	JPF-23-380	10/03/2023	8311 Fars Cove	Fence Permit	11,960	
On Guard Fence LLC	JPF-23-396	10/16/2023	8119 Garfield Ave	Fence Permit	8,280	
First Fence	JPF-23-406	10/16/2023	1- 25 Tartan Ridge Rd	Fence Permit	29,900	
Numair Rashid	JRAD-23-071	10/02/2023	270 Forest Edge Ct	Residential Addition (balcony enclosed)	5,000	
CVG Architects, Inc.	JRAL-23-357	10/02/2023	8737 Johnston Rd	Residential Alteration	30,000	
rish Castle Paving	JRAL-23-364	10/04/2023	11563 Burr Oak Ln	Right-of-Way	9,850	

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 October 2023

11/09/2023

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value Sq. Feet	;
Irish Castle Paving	JRAL-23-385	10/09/2023	6600 Manor Dr	Right-of-Way	12,000	
Alvaro Davalos	JRAL-23-395	10/09/2023	9S 241 MADISON ST	Residential Alteration	4,500	
Hinsdale Nurseries	JRAL-23-397	10/11/2023	333 LAKEWOOD CIR	Right-of-Way	52,065	
PirTano Construction Co.	JRAL-23-400	10/10/2023	ROWs DuPage Locations	Right-of-Way Comcast		
Dynamic Utility Solutions & Int	trer JRAL-23-407	10/19/2023	ROWs DuPage Locations	Right-of-Way ComEd utility work		
TBD	JRAL-23-412	10/23/2023	11744 Woodside Ct	Right-of-Way	1,500	
Irish Castle Paving	JRAL-23-414	10/27/2023	7349 Park Ave	Right-of-Way	8,950	
Damco Development	JRAL-23-417	10/27/2023	11208 73rd Pl	Right-of-Way	5,000	
Jovic Builders	JRDB-23-314	10/05/2023	7606 Hamilton Ave	Residential Detached Building	200,000	
Carlos Yanez	JRDB-23-392	10/09/2023	8300 County Line Rd	Residential Detached Building	4,200	
Reem Beckerly Marshen	JRES-23-378	10/12/2023	8400 Oak Knoll Dr	Residential Miscellaneous	12,250	
DME Access, LLC	JRES-23-411	10/24/2023	11700 German Church Rd	Residential Miscellaneous	42,597	
Kapital Electric, Inc.	JRPE-23-388	10/10/2023	4 Clubside Ct	Res Electrical Permit	1,964	
Burdi Custom Builders, Inc	JRSF-23-325	10/30/2023	6066 Keller Dr	Residential New Single Family	1,650,000	
Pradeep Aggarwal	JRSF-23-347	10/10/2023	6790 Fieldstone Dr	Residential New Single Family	750,000	
C Bart Homes LLC	JRSF-23-351	10/30/2023	8999 S COUNTY LINE RD	Residential New Single Family	1,000,000	

TOTAL: 36

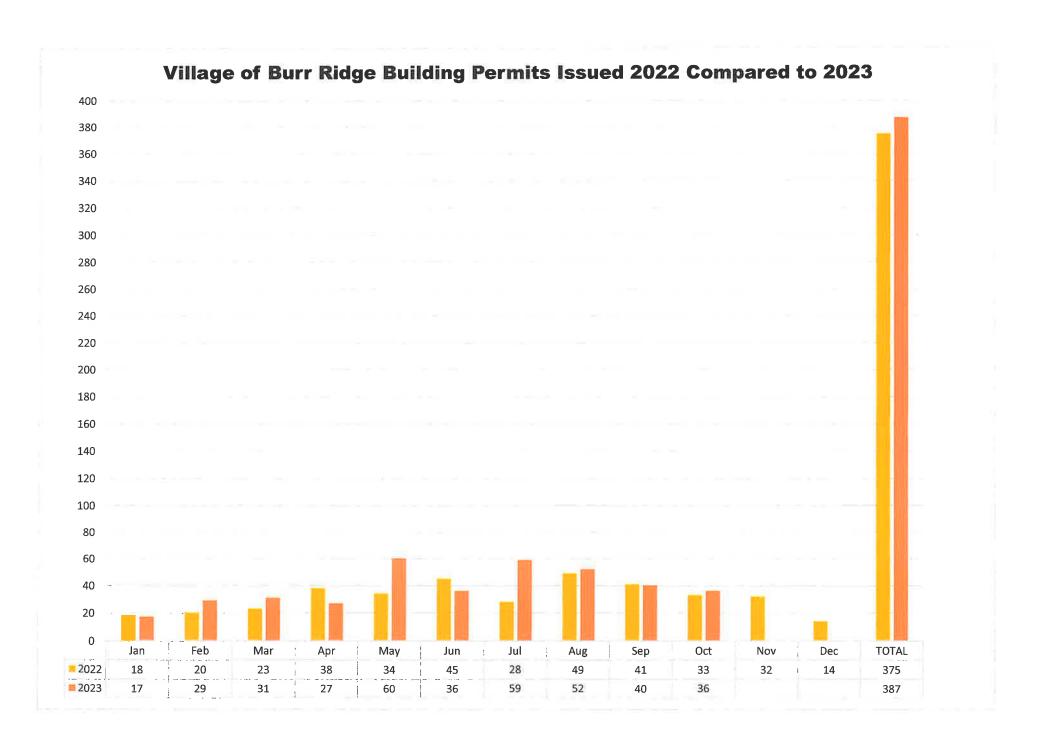
Occupancy Certificates Issued October 2023

11/08/23

CO#	Certificate of Occupancy Date	Occupant of Record	Address
OF23042	10/04/23	Savani, Neil	7 Arcadia Ct
OF23043	10/18/23	Dr. & Mrs. Anton Fakhouri	8250 County Line Rd

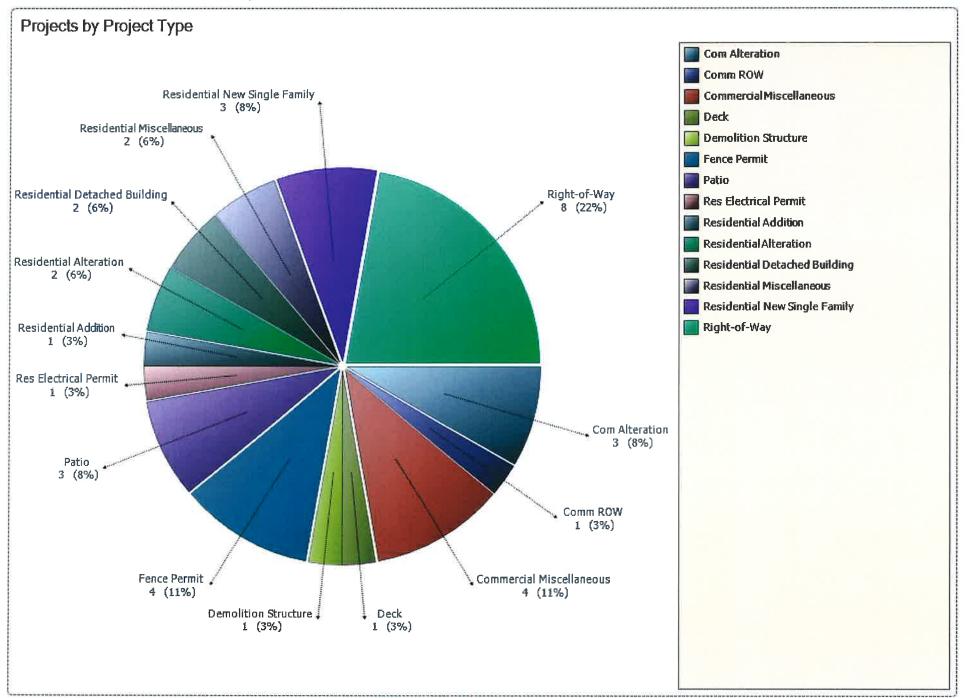
CONSTRUC	CONSTRUCTION VALUE OF BUILDING PERMITS - MONTHLY SURVEY 2023					
(Does not inclu	de miscellaneous Perr	nits)				
MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH	
JANUARY	\$2,450,000			\$150,000	\$2,616,875	
FEBRUARY	\$800,000			[2] \$353,333	\$1,227,658	
MARCH	[1]	\$687,150			\$4,755,525	
APRIL	[] \$0	[6] \$115,350 [2]	[] \$1,300,000 [1]	[2] \$0	\$1,415,350	
MAY	\$1,000,000				\$3,319,590	
JUNE	\$1,449,163	\$121,600		\$50,000	\$1,620,763	
JULY	\$3,658,400	\$1,975,050	\$0	[1] \$2,708,017	\$8,341,467	
AUGUST	[3] \$1,200,000	\$268,425		[2] \$25,000	\$1,493,425	
SEPTEMBER	[1]	\$1,379,025		[1] \$520,000	\$1,899,025	
OCTOBER	\$3,400,000	\$282,097		\$375,000	\$4,057,097	
NOVEMBER	[3]	[5]		[3]	\$0	
DECEMBER					\$0	
2023 TOTAL	\$13,957,563	\$4,945,397	\$3,300,000		\$30,746,775	
	[12]	[37]	[2]	[20]		





Breakdown of Projects by Project Type

Current Chart Filter: All Records, Permit.DateIssued Between 10/01/2023 AND 10/31/2023





VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission

Greg Trzupek, Chairman

FROM: Janine Farrell, AICP

Community Development Director

DATE: November 20, 2023

RE: PC-09-2023 2024 Plan Commission Meeting Dates

The Plan Commission/Zoning Board of Appeals regularly meets on the first and third Monday of each month. Below is a list of proposed 2024 Regular Meeting dates of the Plan Commission/Zoning Board of Appeals for approval, noting meeting dates which will not be scheduled due to holidays. All meetings will begin at 7:00 p.m. and will be held at the Village Hall Board Room. Following this list are the approved 2024 Board of Trustees meeting dates with Commission representatives.

January 1 (not scheduled – New Year's Day)

January 15

February 5

February 19

March 4

March 18 (not scheduled – Primary Election prep)

April 1

April 15

May 6

May 20

June 3

June 17

June 1

July 1

July 15

August 5

August 19

September 2 (not scheduled – Labor Day)

September 16

October 7

October 21

November 4 (not scheduled – Election Day prep)

November 18

December 2

December 16

Board of Trustees Meeting Date:	Plan Commission Representative:		
January 8	Irwin		
January 22	McCollian		
February 12	Parrella		
February 26	Trzupek		
March 11	Petrich		
March 25	Broline		
April 8	Stratis		
April 22	Morton		
May 13	Irwin		
May 27	NOT SCHEDULED		
June 10	McCollian		
June 24	Parrella		
July 8	Trzupek		
July 22	Petrich		
August 12	Broline		
August 26	Stratis		
September 9	Morton		
September 23	Irwin		
October 14	McCollian		
October 28	Parrella		
November 11	Trzupek		
November 25	Petrich		
December 9	Broline		
December 23	NOT SCHEDULED		