



**REGULAR MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
NOVEMBER 6, 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 OCTOBER 16, 2023 MEETING MINUTES**

**III. PUBLIC HEARINGS**

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

***REQUEST BY PETITIONER TO CONTINUE UNTIL DECEMBER 4, 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. V-05-2023: 724 Tomlin Dr. (Szymiski); Variations and Findings of Fact**

Requests for two (2) variations from Zoning Ordinance Section IV.J to permit (1) a fence in the front yard of a single-family residence and (2) a fence in a corner side yard within the minimum 30' corner side yard setback, located at a 22' setback. The petitioner seeks to replace a fence on the property.

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

***WITHDRAWN***

Requests for a variation from Zoning Ordinance Section IV.J to permit a fence in the front yard of a single-family residence. The petitioner seeks to construct a new fence on the property.

**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]**

***REQUEST BY STAFF TO CONTINUE UNTIL NOVEMBER 20, 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.

#### IV. CORRESPONDENCE

- A. **Board Report**  
October 23, 2023
- B. **Building Reports**  
No report

#### V. OTHER CONSIDERATIONS

#### VI. PUBLIC COMMENT

#### VII. FUTURE MEETINGS

##### **November 13, 2023 Village Board – CANCELED**

##### **November 20, 2023 Plan Commission**

- A. **Z-02-2023: 60 Shore Drive (Naddaf – Coda Motors); Special Use Amendment, Special Use, and Findings of Fact [REMANDED FROM BOARD OF TRUSTEES MAY 22, 2023 & 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 [CONTINUED FROM JULY 17, AUGUST 21, & NOVEMBER 6, 2023; REMANDED FROM OCTOBER 23, 2023 BOARD OF TRUSTEES MEETING]**

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-09-2023: 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.

**November 27, 2023 Village Board**

Commissioner Parrella is the scheduled representative.

**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 Fences and Gates (Village of Burr Ridge); Text**

**Amendment and Findings of Fact**

Request for an amendment to Sections IV.J. and IV.I.12 of the Zoning Ordinance for the regulations pertaining to fences in residential districts and driveway gates.

**December 11 Village Board**

Commissioner McCollian is the scheduled representative.

**December 18 Plan Commission**

No cases scheduled. Last day for newspaper publication is November 17.

**VIII. ADJOURNMENT**

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF OCTOBER 16, 2023**

**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 – Irwin, Petrich, Broline, Stratis, Morton, and Trzupek

**ABSENT:** 2 – McCollian and Parrella

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

**II. APPROVAL OF PRIOR MEETING MINUTES – SEPTEMBER 18, 2023**

Commissioner Petrich requested that motion and roll call vote for adjournment of the meeting which is shown in both Future Meetings and Adjournment should be deleted from Future Meetings.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to approve the minutes of the September 18, 2023 meeting as amended.

**ROLL CALL VOTE** was as follows:

**AYES:** 5– Petrich, Morton, Irwin, Broline, and Trzupek

**NAYS:** 0 – None

**ABSTAIN:** 1 – Stratis

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

**III. PUBLIC HEARINGS**

Chairman Trzupek introduced the public hearings on the agenda. He 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 91<sup>st</sup> Street (Leon); Variations and Findings of Fact  
[CONTINUED FROM AUGUST 21, 2023]**

Director Farrell stated that the Petitioner requested that the matter be continued until November 6, 2023 as they were getting a revised survey done for the property,

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to continue the public hearing to November 6, 2023.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Irwin, Morton, Petrich, Broline, Stratis and Trzupek  
**NAYS:** 0 – None

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

**B. 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, 2023]**

Chairman Trzupek introduced the case and asked for a summary. Director Farrell stated the matter was first heard on May 1, 2023, by the Plan Commission and then remanded back to the Plan Commission from the Board of Trustees on May 22, 2023, and excerpts from those two meetings were provided for review. The case involves two requests, (i) for an interior expansion of the existing special use and (ii) for the outdoor overnight storage of retail vehicles ancillary to the special use. At the prior meeting, the Plan Commission voted unanimously to recommend the approval of the interior expansion and then denial of the outdoor overnight storage of the retail vehicles. A summary of the history of this matter was provided to the Plan Commission for reference.

Director Farrell stated the Petitioners have provided some additional information about the outdoor overnight storage of vehicles. There has been no change regarding the interior expansion of the use. Director Farrell referenced a picture of the site that was displayed on the screen and pointed out the location of the outdoor storage relative to Frontage Road and Shore Drive. Director Farrell displayed photos provided by Petitioner, which showed the striping in the outdoor storage area.

Director Farrell indicated there are two other tenants located in the building Ur Boss, which is also an online-based automobile sales business, and MyGreenMattress. According to the property owner, there are no assigned parking spaces for any of the tenants. There is a total of 62 spaces, and Coda Motors is seeking to use 29 of those spaces for storage.

The Petitioner proposed to enclose the outdoor storage area with a black chain link fence that has black privacy slats. Director Farrell displayed a photo of the proposed fence and pointed to the proposed enclosure area. Director Farrell indicated that the fence is proposed to be 5' tall with two access gates; one for driveway access along Shore Drive and a second internal access point.

In non-residential districts, a fence requires a special use permit. The regulations are the same as they are for residential zoning districts and any deviation is approved as a condition of that special use. Director Farrell noted that some of the deviations, in this case, are that chain link fences are prohibited, a fence must be 50% open (the proposed fence has privacy slats), and fences are permitted in the rear yard and behind the rear wall of the structure (in this instance, the fence is within the front yard and along the side yard of the structure). Thus, there are 3 deviations from the standard fence requirements. Director Farrell further stated that there are standards for consideration for a special use for a fence in a non-residential district.

Staff found only one other example of a chain link fence in the Hinsdale Industrial Park area. Director Farrell stated the fence was located at 340 Shore Drive; it is to the rear of a building and surrounds an outdoor-type storage tank used in connection with some sort of manufacturing process. The fence does have brown privacy slats. The fence was approved in 1992 for a corrugated recycling system.

Director Farrell stated there are other fences in the Hinsdale Industrial Park, but they are typically of the black, metal, or wrought iron look and are 50% open. Director Farrell noted what was approved for Tesla was a similar fence style to what is generally found within the Hinsdale Industrial Park.

The Petitioner provided photos of some existing security cameras and wall pack lighting on the site. No new or additional security cameras or lighting is being proposed.

Director Farrell provided a reminder of the previous motion and the vote count. Originally, there was an 8-0 vote to recommend the approval of the interior expansion of the use and an 8-0 vote to recommend the denial of the outdoor overnight storage of the retail vehicles.

Director Farrell stated that this case has been remanded back from the Board and indicated that the Plan Commission may desire to proceed in a couple of ways. The Plan Commission could re-affirm the two previous recommendations of approval or denial, or the Plan Commission may wish to take another motion on these actions and re-vote. The interior use expansion was a unanimous approval, but it is still an option to re-vote on this matter.

Director Farrell indicated a list of some conditions that the Plan Commission may wish to adopt if the Plan Commission does vote to recommend the approval of the outdoor storage. Two of those conditions relate to the deviation from the fencing regulation. One condition would permit chain link fencing with privacy slats, and the second condition would allow the fence to be located in the front and side yards. Director Farrell further noted two additional conditions that the Plan Commission may wish to adopt if recommending the approval of the outdoor storage, including a limit of 29 vehicles to be stored and a prohibition of the outdoor display of vehicles as an advertising mechanism.

Director Farrell invited the Plan Commissioners to ask any questions they may have.

Chairman Trzupek asked if Director Farrell recalled if the 29-vehicle limit were based upon the size of the proposed fenced area.

Director Farrell indicated that the 29-vehicle number was based upon the Petitioner's request to store 29 vehicles outside.

Chairman Trzupek asked for further clarification about whether at the time of the 29-vehicle limit discussion, the Plan Commission had any information regarding the proposed fence before it was for consideration.

Director Farrell stated that at the time of the original denial of the outside storage of vehicles, no fencing was proposed. The Board remanded the matter back for consideration by the Plan Commission with the stipulation that fencing, lighting, security, as well as potentially landscaping and screening, be provided.

Chairman Trzupek asked for further clarification about the location of the fence relative to the front yard.

Director Farrell displayed a site plan and pointed out the locations of the front and side yards of the property. Director Farrell indicated that the technical "front" of the building borders the street with the least amount of frontage. Director Farrell noted that the actual entrance of the business is at the rear of the property.

Chairman Trzupek sought further clarification as he believed that to be considered in the front, the fence must be located past the front face of the building.

Director Farrell clarified that to be in the front, the fence must be located within the front yard. A fence would only be permitted back, even with the rear wall.

Chairman Trzupek asked about the fence located in the side yard.

Director Farrell stated that the fence is not permitted in the side yard.

Chairman Trzupek pointed to the proposed fence area and asked if it was located in the front or side yard.

Director Farrell stated that the proposed fence is technically located in the front and side yard.

Chairman Trzupek asked why it was considered to be located in the front.

Director Farrell stated that the proposed fence is considered to be in the front because it is not located behind the rear wall of the building. Director Farrell stated conceded that because the proposed fence was even with the front wall of the building, it could be considered to just be located in the side yard.



Commissioner Stratis asked for clarification about the parking extending beyond the front of the building's front wall.

Director Farrell stated the Petitioner would have to provide clarification on this matter as the original proposal showed parking up to the street frontage. Director Farrell noted that there were 4 existing parking spaces located in the front. Director Farrell stated the parking would be considered an existing non-conforming use. Director Farrell stated the proposed fence location were shown as starting even with the front wall.

Chairman Trzupek discussed that last year, down at 311 Shore Drive, there was a fence that is farther back, but it is also along the side of the building. Chairman Trzupek inquired about if it was permitted in the side yard.

Director Farrell stated a fence was permitted in the side yard, but it started halfway back down the building from the front wall.

Chairman Trzupek noted that the permitted fence at 311 Shore Drive was further back than the proposed fence in this case. Chairman Trzupek asked for confirmation that the Plan Commission approved the 311 Shore Drive fence despite it being located in the side yard.

Director Farrell confirmed that he was correct and also noted that the 311 Shore Drive fence was taller than 5' in height.

Commissioner Irwin asked if the case was remanded back from the Board because the Petitioner sought for it to be remanded.

Director Farrell confirmed that this was correct.

Commissioner Irwin further clarified that the Board did not, independent of the Petitioner's request, remand the case for further consideration by the Plan Commission.

Director Farrell stated that Commissioner Irwin was correct. The Petitioner was not present at the case's first presentation before the Plan Commission but was then present at the Board meeting and requested that this matter be remanded.

Commissioner Irwin clarified that the reason it was remanded was not because the Board had a particular viewpoint on the case but rather because the Petitioner showed up to the Board meeting, indicated that it was not present at the Plan Commission meeting, and requested a further opportunity to be heard.

Director Farrell confirmed that Commissioner Irwin was correct. Director Farrell added that that was when the Board agreed to remand the case subject to the requirement that Petitioner address the Plan Commission's comments regarding the case from its original meeting.

Commissioner Irwin asked to look at the aerial view of the property again and inquired about the location of the front and rear of the neighboring building to ascertain which area of the neighboring building would be facing the proposed fence.

Director Farrell indicated that the area Commissioner Irwin pointed out was the back/side of the neighboring building. Director Farrell pointed out where the front of the neighboring building was located.

Chairman Trzupek asked if the Petitioner was present and if they would like to add anything.

Al Samen, representative for the Petitioner, Joseph Naddaf, stepped forward and stated that he would like to add something. Al Samen stated that the parking the Petitioner is asking for is in the back of the building so if you were on Frontage Road, you would not see the cars. The fence will not go all the way to the first five spots toward the front of the building because those spots are for employees. Al Samen pointed to an area on a visual depiction of the property to show where the fence would be located. Al Samen stated that the five spots will be empty at night. There are 22-24 spots in the proposed fenced area. The tenants upstairs have dedicated, marked (with names) spots for use.

Director Farrell asked Al Samen to confirm that it was still the Petitioner's intention to use the spaces outside of the fenced area.

Al Samen stated that Director Farrell was correct. The spaces outside of the fenced area would be used for employee parking.

Chairman Trzupek invited public comment and questions. No one stepped forward.

Chairman Trzupek moved on to Commissioner comments and questions and invited Commissioner Morton to speak.

Commissioner Morton stated he had a few questions. First, he sought further clarification about the spots that were just discussed; those that are assigned for use by the employees. Commissioner Morton asked the Petitioner to point out the exact location of the spots on a site plan, which was displayed.

Al Samen pointed out the location of the spots.

Commissioner Morton asked if the employees would park in the non-conforming parking spots.

Director Farrell stated that he was correct based on the information being presented. Director Farrell stated there will be vehicles parking in the front yard, outside of the fenced area.

Commissioner Petrich stated he believed those spots would be used by Petitioner employees. Commissioner Petrich asked for further clarification of where other tenants would park.

Al Samen pointed to areas in the back of the building where additional parking is located and showed where other tenants park.

Commissioner Petrich confirmed that the spaces outside of the proposed fenced area are for the Petitioner's employees.

Al Samen agreed that they would be for the Petitioner's employees or whoever else parks there.

Commissioner Morton stated that before he came to the Plan Commission meeting that evening, he drove through the parking lot in question. Commissioner Morton stated that both the side lot and back lot appeared to be at capacity. Commissioner Morton expressed concern that the Plan Commission may create a situation where the building does not have adequate parking.

Al Samen stated that the Petitioner buys cars nearly every Monday. Al Samen acknowledged that the lot was full. Al Samen mentioned that cars are also stored in another location in unincorporated Burr Ridge, but the cars were just dropped off today. Al Samen stated that the back lot was very full because the cars had not been moved to the other location, but the front spaces remained open.

Commissioner Morton asked if the Petitioner was stating that this situation is a Monday event.

Al Samen confirmed it is a Monday/Tuesday event.

Chairman Trzupsek stated that the cars in the back with dates on their windows, do not appear to be employee cars leaving at night, and without an employee headcount, the Plan Commission does not know how much employee parking is required. This remains an open issue. Chairman Trzupsek asked if the cars in the lot today with the circular dates are Petitioner's cars.

Al Samen stated those cars were not the Petitioner's cars. Al Samen stated that they do not display cars in the front.

Chairman Trzupsek indicated that to Commissioner Morton's point, the lot was packed at 5:45 p.m., and it is doubtful that it was empty by the present time in the meeting. Chairman Trzupsek stated there may be another zoning issue with a different tenant if these cars are out there overnight. Chairman Trzupsek noted while employee parking might not be the issue, there is another issue on the property with these cars being out there all night.

Commissioner Morton referenced the penultimate sentence in the last paragraph of an email from March 2, 2023, from Mr. Naddaf to Director Farrell which stated that the staging area was needed for the purchased cars that require inspection and work done before they are offered for retail. Commissioner Morton stated that he believed this use is a “non-starter” as the Plan Commission does not ever allow outside mechanical work to be done. Commissioner Morton expressed confusion about how the Plan Commission could approve this use with the condition of no mechanical work being done outside while at the same time having this email indicating that this language in the email referenced.

Chairman Trzupek stated that the email merely references cars needing work. It does not state that work would be done outside.

Commissioner Morton stated that he considers inspecting vehicles as work being done.

Al Samen asked to clarify. Al Samen indicated that they take 5 cars at a time offsite, third-party mechanics who perform the inspections. The Petitioner does not do any work outside of the property in question.

Commissioner Morton stated that he is bothered by the chain link and does not know why the Plan Commission would approve such a fence when in other instances, it has gone to great lengths to approve a more attractive fence, such as in the case of Tesla. Commissioner Morton stated that he had no further questions at this time.

Chairman Trzupek invited Commissioner Stratis to comment.

Commissioner Stratis agreed with Commissioner Morton regarding the fence. Commissioner Stratis asked the staff if it was correct that Tesla was required to do a 50% impervious fence.

Director Farrell indicated that the Tesla fence was 50% open.

Commissioner Stratis indicated that the Plan Commission does not like chain link fences for several reasons, including they tend to rust and even stainless steel looks great for five years and then begins rusting. Commissioner Stratis stated he could not come up with a good distinction between this case and Tesla’s, so he is struggling with that. Commissioner Stratis indicated that the front yard question had already been answered for him. Commissioner Stratis sought confirmation that the vehicles on site were not vehicles that had been in a collision and thus were unsightly.

Al Samen indicated that Commissioner Stratis was correct. Al Samen stated none of the vehicles had any major damage.

Commissioner Stratis stated if there were going to be junked cars parked in the back, he could see supporting slatted fencing, but if there are going to be new cars back there and

the fence is being used to deter people from scaling it to obtain access to the cars, then it is tough for him to support slatted fencing.

Al Samen asked what the root of the objection was to the slatted fencing.

Commissioner Stratis indicated it is because it is the cheapest fence and is not appealing to our community.

Al Samen indicated there may be other fencing options.

Commissioner Stratis further indicated that the fence being shown was a 6'-8' fence or at least certainly not a 5' fence. Commissioner Stratis reiterated that he could not come up with a distinction for why the application is unique to others that have come before the Plan Commission. Commissioner Stratis stated if the intent is to make it difficult for people to jump the fence, a 50% fence is sufficient. Commissioner Stratis also inquired about the 29-car limitation and wanted to clarify if that was to be included in the suggested motion.

Director Farrell stated that it should have been included as it was included among the conditions in the May staff report.

Commissioner Stratis commented on the lack of information about the number of employees. Commissioner Stratis pondered why this information was difficult to obtain.

Director Farrell stated that it has been challenging to get responses from the property owner. As an example, Director Farrell indicated that the property owner's consent for the fence has not yet been confirmed. The building permit for the fence would require this consent. Staff did obtain the landlord's approval for the zoning action, but when the owner was asked about how many employees in the building, assigned parking, etc., it was challenging to receive a response.

Commissioner Stratis stated it was hard to have so many volunteers spending significant time on this only to have the landlord fail to respond to some simple inquiries. Commissioner Stratis believes it is disrespectful to the system.

Chairman Trzupek stated that although the Plan Commission has the property owner's consent to move forward with the zoning hearing, it does not mean that they will cooperate with the outcome.

Director Farrell stated Chairman Trzupek's statement is correct. For the original zoning action regarding the expansion of the use and the outdoor storage of vehicles, the owner consented, but for this particular fence on the property, the owner's consent has not been obtained at this time.

Al Samen indicated that he spoke to the owner, and he will be asking for a little more money, which the Petitioner does not take exception to. The owner had questions about

access via a keypad and fire department approvals. The owner also wants the Petitioner to be responsible for the repair of any damage to the lot. Al Samen stated these were the only matters that the owner expressed concerns about.

Chairman Trzupsek stated that the original petition did not include a fence and while the Petitioner is saying the owner is okay with the fence, if there was any kind of recommendation by the Plan Commission, it would need to include a condition requiring owner approval.

Director Farrell confirmed that consent would be required to obtain the building permit.

Commissioner Stratis indicated that he had no further comments.

Chairman Trzupsek invited Commissioner Broline to present his comments and questions.

Commissioner Broline asked where the gates are shown on the site plan.

Al Samen stated the proposed site plan does not accurately depict where the gates will be. Al Samen showed the correct location of the gates.

Commissioner Broline asked if one is coming from Shore Drive, there will be secured gates with a code.

Al Samen confirmed.

Commissioner Broline asked for clarification on the west side of the building and the parking spaces. Commissioner Broline asked for clarification on how the gate locks work.

Al Samen stated they lock the gates around 7:00 p.m. when they leave work. Al Samen stated the Fire Department, tenants, and the landlord will have access and the code.

Commissioner Broline asked how the lock is controlled

Al Samen stated the lock will be controlled by a battery.

Chairman Trzupsek asked in terms of circulation if the gates are open in the morning and all day.

Al Samen stated he did not know. Al Samen stated the width of the gate will not be very wide. The gate will fit two cars in width.

Commissioner Broline asked for clarification on the traffic pattern.

Commissioner Startis stated the proposed site plan for the gate and fence is not accurate.

Al Samen pointed to where he thought the gates were going to go. Al Samen stated he is unsure where the Petitioner wants the gate. Al Samen stated the business UR Boss is displaying cars to the front.

Director Farrell asked for clarification on the fence and gate location based upon on the diagram. Director Farrell stated the proposed plans are not accurate.

Chairman Trzupek stated the Plan Commission does not have an accurate plan of where the fence will be. Chairman Trzupek stated back in May the hearing was for the Plan Commission to decide if Coda Motors could expand the business inside and have outdoor storage. Chairman Trzupek reiterated the Plan Commission stated no to outdoor storage because there were no plans for a fence or security. The Board sent it back to the Plan Commission with a plan for a fence because the Plan Commission previously allowed outdoor storage vehicles overnight with a fence in the area. Chairman Trzupek stated the Plan Commission still does not know what extent of fencing the Petitioner wants, how many cars will be in the area, or the gate's location. Chairman Trzupek stated they may want to put a fence along the whole property since Al Samen stated cars are parked all along the lot at night. Chairman Trzupek suggested a plan with a fence may get a recommendation from the Board for approval, but they need to see a real plan addressing tonight's comments.

Commissioner Broline questioned the flow of cars with the gate for the other businesses and neighbors in the same parking lot.

Al Samen stated he did not know.

Commissioner Irwin stated from Google Earth it appears the street is directed as a one-way in the opposite direction, and they back into the parking spots.

Commissioner Petrich stated the stripping of the parking spaces is not how the cars are parked. Commissioner Petrich agreed with everything mentioned. Commissioner Petrich stated confusion about the location of the fencing. Commissioner Petrich asked how the gates would open. The striping should be accurate and reflect the parking space. Commissioner Petrich questioned why there is no parking sign for MyGreenMattress, and if they are the owners of the property. Commissioner Petrich agreed Coda Motors needs a metal and 50% open fence, not a chain link fence. Commissioner Petrich mentioned adding landscaping to cover the fence. Commissioner Petrich stated every time he drove by the area, there were cars parked in the grass to the curb. Commissioner Petrich stated if the Plan Commission were to approve something that should change.

Al Samen stated that MyGreenMattress is a warehouse. A box truck will pick up a mattress occasionally, but there are no customers at the location. Al Samen confirmed that MyGreenMattress is the owner of this property. Al Samen stated information about the cars in the grass by the curb. Commissioner Petrich stated in May, he drove by the site and there only used to be about 3 or 4 corvettes. Commissioner Petrich noted he was surprised

to see all of the cars on the lot. Commissioner Petrich agreed with Chairman Trzupek that the location may evolve into an outdoor storage area, and the owner needs to figure out what he wants to do with the property.

Al Samen stated that UR Boss has a few locations that shut down, so they are moving all their cars outside to this lot. Al Samen Stated there are no more Corvette Mikes.

Commissioner Irwin stated if Mike Corvette is no longer there, the Plan Commission may want to go back and look at the conditions and use of that property. Commissioner Irwin stated his objections are strong. Commissioner Irwin stated in terms of the location, he is in favor of the commonsense approach to defining a yard and allowing a fence as long as it does not impact the neighbors. Commissioner Irwin stated he is not in favor of a chain-link fence and mentioned the discussion at the Plan Commission for Tesla's fence case. Commissioner Irwin stated if he can get over the hurdle of putting a fence where it does not belong, there are still modifications needed.

Chairman Trzupek stated if they were to put a fence in the proposed location that was not chain link and where the gates are, they may find a recommendation of approval. Chairman Trzupek stated the Petitioners need to come back with an accurate plan of defense of where the fence and gates will be, how the gate will operate, a different gate, and address the striping of the parking spots. Chairman Trzupek suggested to look at Tesla's fence. Chairman Trzupek stated they need to have consent and support from the owner. Chairman Trzupek stated they may get a consensus.

Commissioner Petrich mentioned he would like them to consider adding some landscaping.

Al Samen stated the fence would be on the asphalt, not the grass. Al Samen stated it may not look great to the neighbors, but they have trucks and trailers.

Commissioner Stratis asked if they faced theft or vandalism and why they wanted a fence.

Chairman Trzupek stated the Plan Commission is because the Petitioner asked for outdoor storage, and the Plan Commission stated not without a fence. The Plan Commission denied any recommendation for just outdoor storage.

Commissioner Irwin stated he would want outdoor storage without a fence.

Commissioner Stratis stated Tesla had a fenced-in area.

Chairman Trzupek reiterated back in May the Plan Commission denied a recommendation for outfoot storage that did not show a fence.

Commissioner Petrich stated the Village Board remanded it back to the Plan Commission to ensure the Petitioners add a fence.



Chairman Trzupek stated yes.

Commissioner Irwin summarized the previous meetings.

Commissioner Petrich stated Trustee Francis was clear the Petitioners needed to add a fencing plan, lighting, and security.

Chairman Trzupek stated the Board stated not to bring back the same plan, which referred to as no outdoor storage without a fence.

The Commissioners discussed the fence.

Commissioner Morton stated by eliminating the fence, the property would become a used car lot, which would propose appearance concerns. Commissioner Morton stated a fence would help mitigate the corners.

Chairman Trzupek stated the Petitioner can come back with more details on a different fence, how it operates, and where it will be, or the Plan Commission can make a motion to deny the case again. Chairman Trzupek stated it would be inconsistent with Tesla, to say the Plan Commission does not want a fence there.

Commissioner Morton stated he agreed with Chairman Trzupek's points he summarized earlier about not going forward tonight. Commissioner Morton stated the primary problem is the Plan Commission does not have an actionable plan in front of them. Commissioner Morton stated the drawing is inaccurate. Commissioner Morton stated if the Petitioners provide additional details, accurate drawings, a non-chain link fence, and address the comments from tonight he could be in support of continuing the case.

Chairman Trzupek stated with the understanding that even with all of Commissioner Morton's points addressed, the Plan Commission still might not support it.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Broline to continue the public hearing to November 20, 2023.

Commissioner Morton stated he agreed with the motion, but the Petitioners may need more direction from the Plan Commission on what is acceptable.

Chairman Trzupek stated the Plan Commission will not know what is acceptable until the Petitioners present something to them. Chairman Trzupek stated they need an accurate plan, how the gates operate, where the gates will be, what the fence will look like, what the striping looks like, and then the Plan Commission may agree to approve the case. Stated if they come back with everything discussed

Commissioner Stratis stated the Plan Commission also needs landlords' approval.

Commissioner Petrich stated he would like to see consideration to landscaping.  
Director Farrell stated staff will follow up with the Petitioner as well to memorialize the comments discussed.

Commissioner Petrich stated he would like clarification on the parking in the front outside of the fence right to the curb.

Chairman Trzupek asked Al Samen what date they could continue the matter.

Al Samen stated they could come back the first week of November.

Director Farrell presented November 20<sup>th</sup>, to give the Petitioners more time to address all the comments.

**ROLL CALL VOTE** was as follows:

**AYES:** 6F – Stratis, Irwin, Petrich, Broline, Morton and Trzupek  
**NAYS:** 0 – None

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

#### **IV. CORRESPONDENCE**

Commissioner Irwin asked how the discussion for case V-01-2023 went.

Director Farrell stated that the case will be at the Board meeting on October 23, 2023.

Chairman Trzupek invited any comments on the Board or Building Reports.

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

Commissioner Morton asked Director Farrell if there were any updates on QuikTrip.

Director Farrell stated QuikTrip requested the Board withdraw their objection, which will also be on the Board meeting agenda on October 23, 2023. Director Farrell stated QuikTrip adjusted the site plan, the car wash is gone, and there is less semi-truck parking, but ultimately it is the same re-zoning request and conditional use for the PUD.

Commissioner Stratis asked about Thorntons.

Director Farrell stated Thornton intends to break ground in the spring.

Commissioner Broline asked if QuikTrip and the County had addressed the concerns from Gary Grasso's letter.

Director Farrell stated the Board will discuss this on October 23, 2023. Director Farrell stated from her knowledge QuikTrip had to make changes based on IDOT's requirements. The Board meeting is another option for them, looking for the Village of Burr Ridge to withdraw the rejection, so they need a majority of the County Board. Director Farrell stated from her knowledge QuikTrip has requested continuations at the County level to try and get the rejection withdrawn so they can get a majority instead of the three-fourths majority at the County level, which the protest requires.

Commissioner Petrich stated from his understanding the school district formally opposed it, and the public petition had 700 signatures.

Director Farrell stated from her knowledge, that is correct.

Commissioner Broline asked if Burr Ridge has authority.

Director Farrell stated the Village of Burr Ridge does have authority. The Village of Burr Ridge filed a written protest, also known as a legal objection. Director Farrell stated a resolution was passed by the Board with the letter from Mayor Grasso and the motion was filed with the County clerk. Director Farrell stated the motion was sent to the property owners and the Petitioners. Director Farrell stated it is a legal mechanism where the Village has triggered a three-fourth majority vote of the county board members.

Commissioner Petrich asked if the car/truck wash was eliminated.

Director Farrell stated yes.

Commissioner Morton asked Director Farrell if any other Villages objected.

Director Farrell stated other villages may object, but per the County's Ordinance, only the closest Village can file a legal protest, which is the Village of Burr Ridge.

## **VI. PUBLIC COMMENT**

There was no additional public comment.

## **VII. FUTURE MEETINGS**

Stern noted that there three items are scheduled for the Plan Commission meeting on November 6, 2023.

Stern noted that Commissioner Petrich is the scheduled representative for the November 23, 2023 Village Board meeting.

## **VIII. ADJOURNMENT**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to adjourn the meeting at 8:06 p.m.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Irwin, Petrich, Broline, Stratis, Morton, and Trzupek  
**NAYS:** 0 - None

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

**Respectfully Submitted:**

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Janine Farrell, AICP  
Community Development Director



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

**V-05-2023: 724 Tomlin Drive (Szymiski); Variations and Findings of Fact; Requests for two (2) variations from Zoning Ordinance Section IV.J.1.b of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front yard of a single-family residence and (2) a fence in a corner side yard within the minimum 30' corner side yard setback, located at a 22' setback.**

**HEARING:**

November 6, 2023

**TO:**

Plan Commission  
Greg Trzupek, Chairman

**FROM:**

Ella Stern, Planner

**PETITIONER:**

Gregory and Betsy Szymiski

**PETITIONER STATUS:**

Owner

**PROPERTY OWNER:**

Gregory and Betsy Szymiski

**EXISTING ZONING:**

R-3 Single-Family  
Residential

**LAND USE PLAN:**

Recommends Single-Family  
Residential

**EXISTING LAND USE:**

Single-Family Residence

**SITE AREA:**

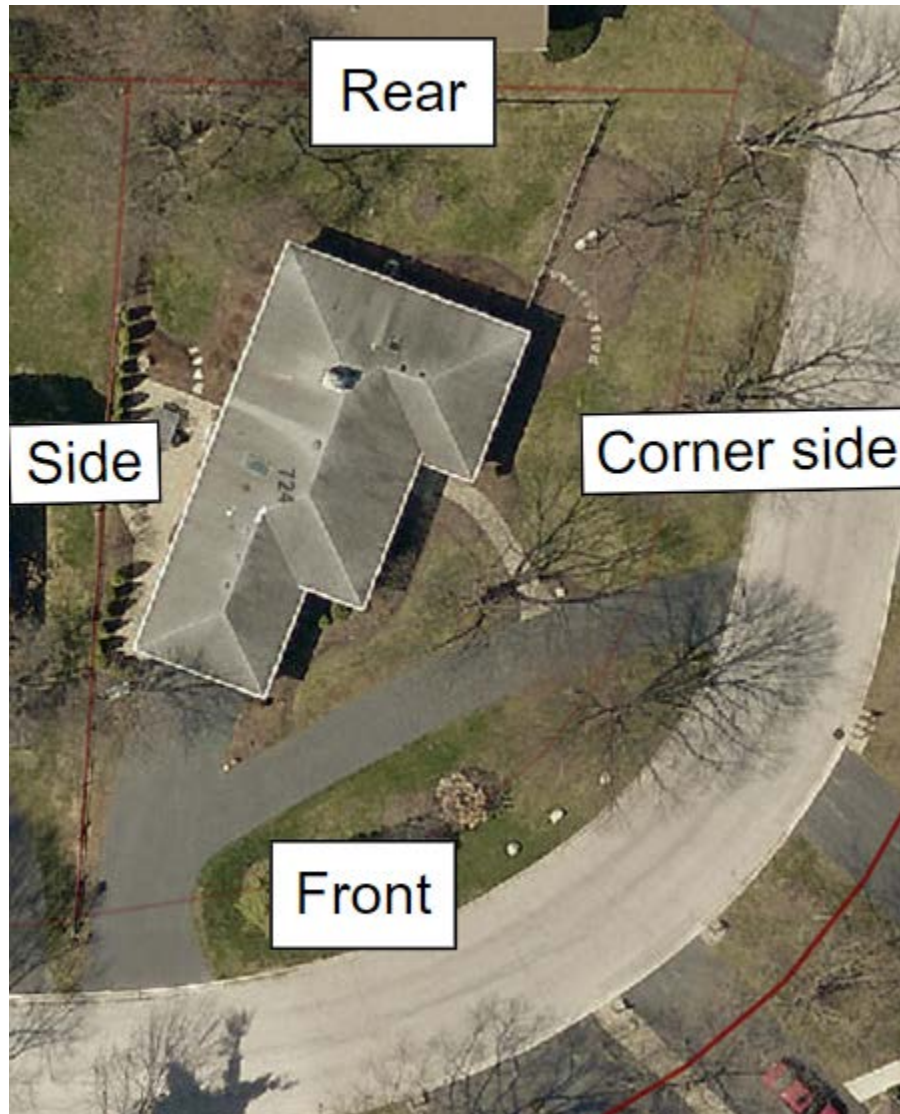
± 12,375 sq. ft.

**SUBDIVISION:**

Woodview Estates South



The petitioners are Gregory and Betsy Szymiski, the owners. The petitioners are requesting two variations from Zoning Ordinance section IV.J as detailed below. The petitioners request to install a fence in the front yard and in the corner side yard within the minimum 30' corner side yard setback. Tomlin Drive serves as the front property line and corner side yard.



*Aerial of the property with the property lines.*

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

- Zoning Ordinance Section IV.J:
  - 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 4' and complies.*
    - 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). As per Zoning Ordinance Section XIV of the Burr Ridge Zoning Ordinance, a corner lot is defined as "A lot that has at least two sides abutting for their full lengths upon streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection of the side lot lines with the street line intersecting at an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the corner. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents above described." Staff used this provision to determine the yards. *The petitioner is requesting a fence in the front yard, which is prohibited. In addition, the petitioner is requesting a 22-foot setback on the corner side yard, and 30 feet minimum is required.*

- 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 fence is aluminum and complies.*
- 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 fence is 50% open and complies.*

Of the thirty single-family dwelling residential homes surveyed within the immediate vicinity of 724 Tomlin Drive, four single-family dwelling residential homes have fences that do not comply with the Zoning Ordinance Regulations. No building permits or variation requests were found on file for the properties. The condition of the fences indicate that they have been up for many years and are likely legal, and nonconforming.

### **Public Hearing History**

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

### **Public Comment**

Six public comments were received and are included as an attachment.

### **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 two variation requests or separate them into individual motions. If the Plan Commission chooses to recommend approval of V-05-2023, a request for two (2) variations from Zoning Ordinance Section IV.J to permit (1) a fence in the front yard of a single-family residence and (2) a fence in a corner side yard within the minimum 30' corner side yard setback, located at a 22' setback, staff recommends the following condition:

1. The fence 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





# 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): Gregory and Betsy Szymiski

STATUS OF PETITIONER: Owners

PETITIONER'S ADDRESS: 724 Tomlin Drive, Burr Ridge, Illinois 60527-4841

ADDRESS OF SUBJECT PROPERTY: 724 Tomlin Drive, Burr Ridge, Illinois 60527-4841

PHONE: 630-308-3203

EMAIL: gregg108@aol.com

PROPERTY OWNER: Gregory & Betsy Szymiski

PROPERTY OWNER'S ADDRESS: 724 Tomlin Drive, Burr Ridge, IL PHONE: 630-308-3203

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

#### DESCRIPTION OF REQUEST:

Replace a deteriorating 42inch wooden split rail fence with a 48inch black aluminum open slat  
(picture attached). We will remove and NOT replace the 50 foot portion of the split rail fence  
that is in the southeast front yard (a diagram is attached). A gate will be added to SE rear.

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

PROPERTY ACREAGE/SQ FOOTAGE: 12,375 Sq ft. EXISTING ZONING: R-3

EXISTING USE/IMPROVEMENTS: Single-Family Residence

SUBDIVISION: Woodview Estates South

PIN(S) # 18-18-303-011-0000

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

Petitioner's Signature

Date of Filing

9/18/2023



Findings of Fact - Zoning Variation  
Burr Ridge Zoning Ordinance

**Address:**

724 Tomlin Drive, Burr Ridge, IL

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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

Yes, the lot is irregular in shape and not of typical dimensions. The house is situated as such where the front faces a curve, and the typical ordinances cannot apply to the lot configuration. If the east is considered the front, the back yard is measured differently and if the north is considered the front, the back yard is again measured differently.

- 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.

Not replacing a deteriorating fence, that is becoming unsightly, could reduce property value as well not removing 50 foot of nonconforming fence in the front yard.

- 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.

Yes, the lot is not of typical dimensions. It is located on a curve and therefore has a unique configuration.

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

No, it is to replace an existing unsightly deteriorating wooden split rail fence.

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

This particular lot configuration is atypical and the general conditions of the zoning ordinance do not apply.

- 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.

No, this variance will not be detrimental and in fact will improve the appearance of the neighborhood.

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

No, the essential character of the neighborhood will not be altered, in fact the same style and size are used in many neighbor's yards.

- 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.

No, the proposed variance will NOT impair light, reduce air, increase congestion, impair drainage, or endanger public safety, or diminish property values, or reduce visibility to traffic or neighbors.

- i. 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 type of fence is in keeping with the current style and size of fences allowed and seen throughout the village.

ANGLE ON THE SOUTHEAST CORNER  
OF THE SITE TO THE CHORD IS 76°55'44"

CARRADUS

# LEGEND

NEW

REPLACE

REMOVE

## DRIVE

(60' R/W)

IRON PIPE  
Ch. Meas. = 46.62'  
(Ch. = 46.62')  
(R = 460.0')

SPLIT RAIL FENCE IS ONLY  
& 6.85' EAST

IRON PIPE IS 0.14' SOUTH  
& 0.15' WEST

Ch. Meas. = 93.84'  
(100.28')  
(R = 80.0')

BYMUNO DRIVEWAY

CONC.

REMOVE  
50' OF SPLIT  
RAIL FENCE

Existing  
Bushes.

REPLACE  
FENCE

CONCRETE  
WALK & STOOP

724 TOMLIN DR.  
ONE STORY BRICK  
RESIDENCE

EXISTING  
BLOCK PATIO

IRON PIPE IS 0.14' SOUTH & ONLINE  
Ch. Meas. = 71.08'  
(71.13')  
(R = 553.0')

Replace  
Fence

### LOT 27

← FIVE FOOT  
SLIDING Gate FOR  
LANDSEAPERS

(110.75')

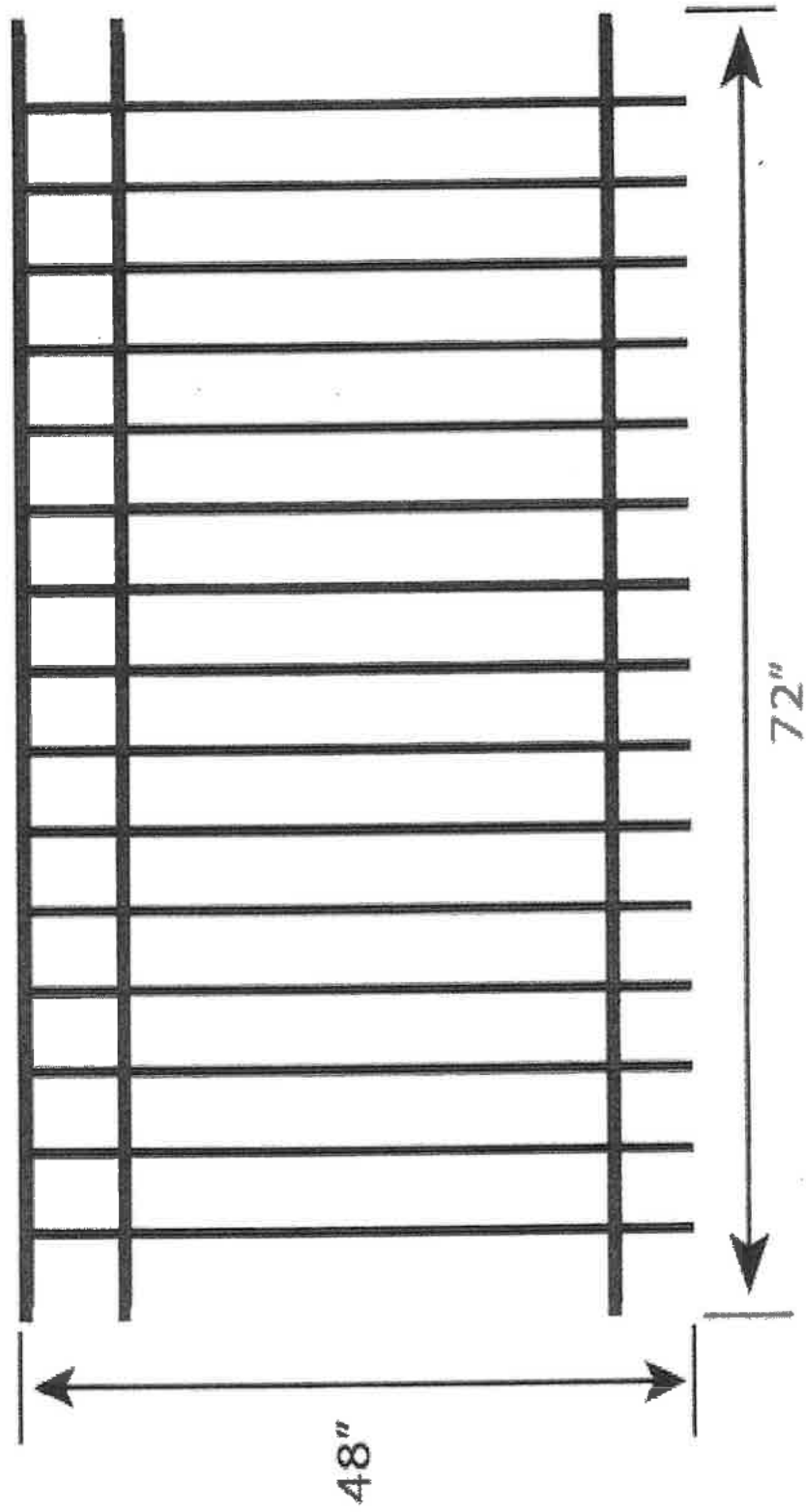
Replace  
Fence

(149.87')  
Meas. = 149.87'

SPLIT RAIL FENCE IS 1.1'  
& 2.3' EAST

IRON PIPE  
SPLIT RAIL FENCE IS 1.1'





**From:** [Jim Lawrence](#)  
**To:** [Ella Stern](#)  
**Cc:** [Mary Lawrence](#)  
**Subject:** Petition V-05-2023: 724Tomlin Dr.  
**Date:** Wednesday, October 18, 2023 9:51:46 AM

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Ms. Stern,

We have lived at 725 Gregford for almost 30 years and endorse the Szymiski's (one house away) petition for two variances regarding a fence. I see no negative impact from granting their request.

Thank you,

Jim & Mary Lawrence  
725 Gregford Rd

**From:** [TLM](#)  
**To:** [Ella Stern](#)  
**Subject:** Burr ridge V05 2023  
**Date:** Tuesday, October 24, 2023 10:51:03 AM

---

We do not think a fence should be in the front yard at all so please don't approve.

Thank you!

Sent from Proton Mail for iOS

10/21/23

To Whom it May Concern,

We are in full support of the residents request for a fence.

Sincerely,  
Jeannie Staloum + Bob Gross  
717 Greghol Rd  
[REDACTED]

Additional comment:

Please consider removing or replacing the Burr Ridge sign at Woodnew & 55<sup>th</sup> Street.

It is located very close to an update Hinsdale village sign.

The Burr Ridge sign is falling apart.

Thank you.





**From:** [Chris Bryant](#)  
**To:** [Ella Stern](#)  
**Subject:** V-05-2023  
**Date:** Monday, October 30, 2023 4:11:39 PM

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Regarding petition V05-2023, I am opposed to this petition as there are no other properties in the development with a fence in the front of the lot. This would set a precedent which changes the aesthetics of the neighborhood. I am not opposed to the fence in the rear and sides of the lot.

Chris Bryant  
638 Gregford Rd.  
Burr Ridge, IL  
[REDACTED]

From: [Tom](#)  
To: [Ella Stern](#)  
Subject: petition V-05-2023, 724 Tomlin Dr. , real estate tax # 18-18-303-011-0000,  
Date: Monday, October 30, 2023 9:21:44 PM

---

petition V-05-2023, 724 Tomlin Dr. , real estate tax # 18-18-303-011-0000,

•  
Tom  
From: pbatom@aol.com  
To: THOMAS MANFRE  
Sun, Oct 29 at 2:14 PM  
Planner Ella Stern,

Please refer to the above info on a legal notice of public hearing to consider a request by Gregory and Betsy Szymiski for new fencing adjoining my property.

I received the the notice of hearing in Marco Island, FL on or around 10-23-23.

When the Szymiski's first moved in many years ago they asked if they could put up a black aluminum fence along the North side of my Property, their south side, replacing a split rail fence.

I told Greg I felt that a black aluminum fence would be out of the country character of all the properties in the area. I didn't think I would enhance the look and character of my property and the other properties in the surrounding area. My fence and the other surrounding fences are split rail. And so is the Szymiski's.

When I purchased my property it had no fence but the property at 724 Tomlin belonging to the Denemark's (now the Szymiski property) was surrounded by a split rail fence and it still is. In order to keep with the nature and character of all the properties, I installed a split rail fence around my property where there was no fence which was my property and most of the other surrounding properties.

I have not heard from the Szymiski's regarding the fencing since, so was surprised when I got the petition. I presumed they were going to stick with the split rail country look.

Since covid my travels to my property at 732 Tomlin have been limited. I am immune compromised and have to watch how I travel. However, I have been in the area over 40 years and have friends and neighbors that watch my property and let me know if there is anything that needs fixing. Also, have landscapers, mowers, fertilizers, snow plows, handy men and other vendors that take care of my property on a weekly basis. My daughter gets to the property at least three times a week and also makes sure nothing is overlooked.

So in keeping with the split rail, country character of the existing fence I would like to ask that my neighbor please replace his fence if necessary with the existing type split rail fence.

All my neighbors have my personal contact information. And I have theirs, as I've been there 51 years.

However to be sure  
Thomas and Sharon Manfre  
732 Tomlin Drive  
Burr Ridge, IL 60527




Thanks for your help.

**From:** [Leroy A. Marcheschi](#)  
**To:** [Ella Stern](#)  
**Subject:** 724 Tomlin Dr.  
**Date:** Tuesday, October 31, 2023 3:30:43 PM

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The request for variations should be refused.

Leroy A. Marcheschi  
700 Gregford Road  




## **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 6, 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 Gregory and Betsy Szymiski for two variations from Section IV.J of the Burr Ridge Zoning Ordinance to permit (1) a fence in the front yard of a single-family residence and to permit (2) a fence in a corner side yard within the minimum 30' corner side yard setback, located at a 22' setback. The petition number and address of this petition is **V-05-2023: 724 Tomlin Dr.** and the Permanent Real Estate Index Number is **18-18-303-011-0000**.

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, October 31, 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.

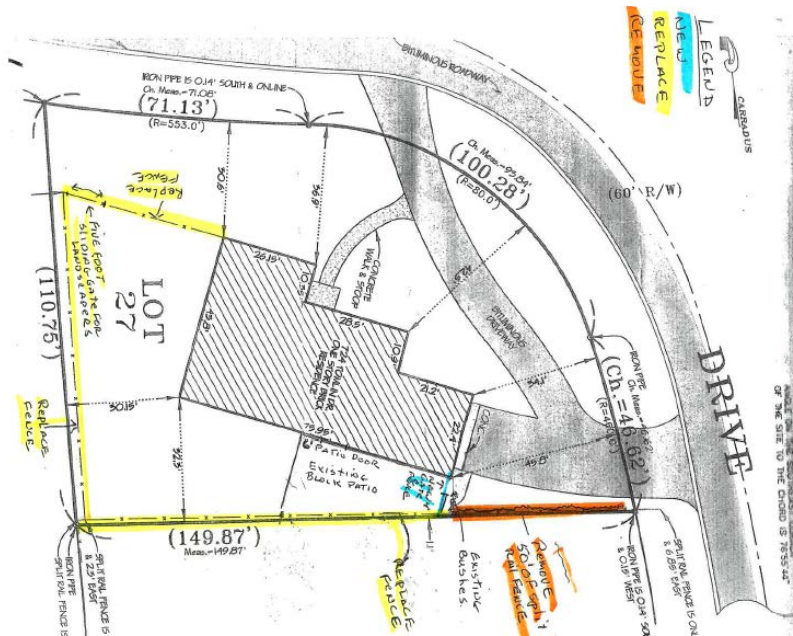
**BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.**

**Greg Trzupek, Chairman**

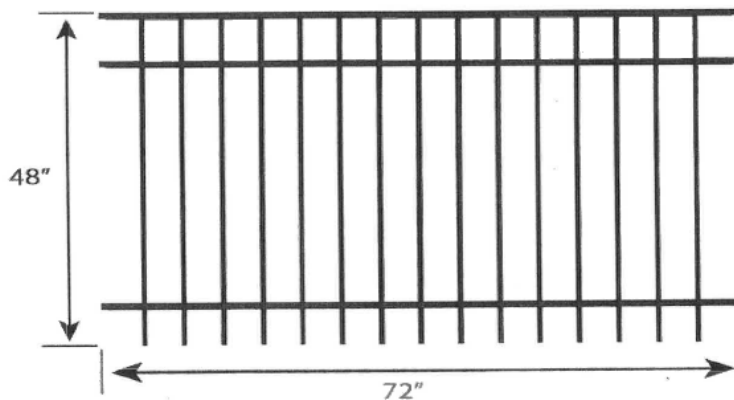
**MEMBERS: GREG TRUZPEK, MIKE STRATIS, JIM BROLINE, BARRY IRWIN, JOSEPH PETRICH, ENZA PARRELLA, RICHARD MORTON, AND DEANNA MCCOLLIAN.**



*The site is outlined in red*



*Proposed site plan of the fence.*



*Proposed 5' aluminum 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](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 6, 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](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*

DIONISSIOS D PAPADIAS  
749 TOMLIN DR  
BURR RIDGE, IL 60527

AMY C AUSTIN  
725 TOMLIN DR  
BURR RIDGE, IL 60527

LEROY A MARCHESCHI DEC  
700 GREGFORD RD  
BURR RIDGE, IL 60527

MILAN MILOSEVIC  
16 DOUGSHIRE CT  
BURR RIDGE, IL 60527

NIRAV N PARIKH  
1221 SHELLEY ST  
MANHATTN BCH, CA 90266

KATHLEEN OCONNELL  
43N DOUGSHIRE COURT  
BURR RIDGE, IL 60527

KAREN PAGANO TRUST  
8117 REGENTS CT  
UNIVERSTY PK, FL 34201

JAMES A DOPPKE JR  
1301 LAURIE LANE  
BURR RIDGE, IL 60527

ROBERTA PETERS  
1541 DESCANSO DR  
LA CANADA, CA 91011

JOSEPH & BRIDGETT YOPP  
708 TOMLIN DR  
BURR RIDGE, IL 60527

THOMAS & NEERA WALSH  
708 GREGFORD DR  
BURR RIDGE, IL 60527

PERFORMANCE ENT FUND  
667 FAIRWAY LN  
FRANKFORT, IL 60423

SINGH SANJEEV  
19 DOUGSHIRE CT  
BURR RIDGE, IL 60527

PATRICK REGNERY  
1240 LAURIE LN  
BURR RIDGE, IL 60527

R & L GEHLMANN  
36 DOUGSHIRE CT  
BURR RIDGE, IL 60527

G RIMAWI  
1419 TOMLIN DR  
BURR RIDGE, IL 60527

CYNTHIA M MARTIN  
708 SOUTH DRIVE  
BURR RIDGE IL, 60527

JOHN HARRELL  
1332 LAURIE LANE  
BURR RIDGE, IL 60527

JOSE L & DIANA GONZALE  
1308 LAURIE LN  
BURR RIDGE, IL 60527

DAVID J BARAN  
701 GREGFORD RD  
BURR RIDGE, IL 60527

T D AHLGREN  
716 GREGFORD RD  
BURR RIDGE, IL 60527

M ASBAHI & L SHAHBANDA  
44 DOUGSHIRE COURT  
BURR RIDGE, IL 60527

MORGAN FINLEY  
1247 LAURIE LN  
BURR RIDGE, IL 60527

BURR RIDGE PARK DISTRICT  
10S474 S MADISON  
BURR RIDGE, IL 60521

QUINN JOHNSON  
646 GREGFORD RD  
BURR RIDGE, IL 60527

ROBERT GLOWNIAK JR  
1316 LAURIE LN  
BURR RIDGE, IL 60527

JOAN E MARSHALL  
739 TOMLIN DRIVE  
BURR RIDGE, IL 60527

THOMAS D MCCARTHY  
1339 LAURIE LN  
BURR RIDGE, IL 60527

JOHN MLSNA  
741 TOMLIN DR  
BURR RIDGE, IL 60527

ANNE VECHIOLA  
715 TOMLIN DR  
BURR RIDGE, IL 60527

MR & MRS LAWRENCE  
725 GREGFORD RD  
BURR RIDGE, IL 60527

MURAD FAZAL  
1401 TOMLIN DR  
BURR RIDGE, IL 60527

R & L JOHNSON  
28 DOUGSHIRE CT  
BURR RIDGE, IL 60527

T B EICHLER JR  
1232 LAURIE LANE  
BURR RIDGE, IL 60527

KATHLEEN A KOCIAK  
731 TOMLIN DR #C1  
BURR RIDGE, IL 60527

KONSTANTINOS KOULERMOS  
60 DOUGSHIRE CT  
BURR RIDGE, IL 60527

KATHLEEN MCGREAL  
745 TOMLIN DR UNIT D2  
BURR RIDGE, IL 60527

STACHOWIAK & HESSLAU  
717 GREGFORD RD  
BURR RIDGE, IL 60527

ANNA MARIA BROTTTO  
721 TOMLIN DR  
BURR RIDGE, IL 60527

THOMAS KERN  
732 GREGFORD RD  
BURR RIDGE, IL 60527

EILEEN A MUSKER  
733 TOMLIN DR  
BURR RIDGE, IL 60527

BRETT BLACHER  
27 DOUGSHIRE CRT  
BURR RIDGE, IL 60527

KATHERINE LEGGE TR  
180 N MICHIGAN AVE  
CHICAGO, IL 60601-7401

NEAL J OCONNOR TRUSTEE  
1413 TOMLIN DR  
BURR RIDGE, IL 60527

THOMAS KOSINSKI  
1348 LAURIE LN  
BURR RIDGE, IL 60527

GREGORY S SZYMSKITTEE  
724 TOMLIN DR  
BURR RIDGE, IL 60527

G & J WELCH  
729 TOMLIN DR  
BURR RIDGE, IL 60527

JACK MOSSBURG  
51 DOUGLSHIRE COURT  
BURR RIDGE, IL 60527

DONALD K PHILLIP  
700 SOUTH DR  
BURR RIDGE, IL 60527

CHRISTOPHER BRYANT  
638 GREGFORD RD  
BURR RIDGE, IL 60527

NICOLE BOKICH  
1300 LAURIE LN  
BURR RIDGE, IL 60527

ERNEST K MILLER  
737 TOMLIN DR  
BURR RIDGE, IL 60527

CRAIG GRIFFITH  
716 TOMLIN DR  
BURR RIDGE, IL 60527

CHRISTY HALE  
709 GREGFORD RD  
BURR RIDGE, IL 60527

JIJUN FENG & YONGLI CA  
11 DOUGHSIRE CT  
BURR RIDGE, IL 60527

ROSE SCOTT BERNHARD  
717 TOMLIN DR  
BURR RIDGE, IL 60527

M & M CAVANAUGH  
727 TOMBLIN DR  
BURR RIDGE, IL 60527

A & H DEMETIS  
1241 LAURIE LN  
BURR RIDGE, IL 60527

GREGORIO DY  
1407 TOMLIN DR  
BURR RIDGE, IL 60527

JOSEPH P GIAMMANCO  
1309 LAURIE LN  
BURR RIDGE, IL 60527

LEO J PERION  
747 TOMLIN DR  
BURR RIDGE, IL 60527

THOMAS S MANFRE  
1403 350 S COLLIER BLVD  
MARCO ISLAND, FL 34145

KENDALL A HENRY  
1331 LAURIE LN  
BURR RIDGE, IL 60527

MICHELLE BALICH  
723 TOMLIN DR  
BURR RIDGE, IL 60527

ANGELA ARRIETA  
724 GREGFORD RD  
BURR RIDGE, IL 60527

THOMAS & JUDITH RODDEN  
735 TOMLIN DR C3  
BURR RIDGE, IL 60527

SAMIR D UNDEVIA  
35 DOUGSHIRE CRT  
BURR RIDGE, IL 60527

RASA MAJAUSKAS  
700 TOMLIN DR  
BURR RIDGE, IL 60527

PAUL M HALLORAN  
1248 LAURIE LN  
BURR RIDGE, IL 60527

KATHRYN J BERGHOLZ  
1324 LAURIE LN  
BURR RIDGE, IL 60527

THOMAS PARROTT  
1340 LAURIE LN  
BURR RIDGE, IL 60527

MR. & MRS. L. MICHET  
10 S LASALLE ST #2750  
CHICAGO, IL 60603





**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:

724 Tomlin Drive, Burr Ridge, IL

Property Owner or Petitioner:

Gregory Szynski & Betsy Szynski

(Print Name)

(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 6, 2023

**RE:** Board Report

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The Board of Trustees took the following actions relative to matters forwarded from the Plan Commission on October 23, 2023.

- **V-03-2023: 7703 Hamilton (Iwanetz)**
  - The Board approved an Ordinance approving a request for a variation to permit a corner side yard setback of 30 ft. instead of the minimum 40 ft. required. The recommendation was unchanged from the Plan Commission.
- **Z-07-2023: Short-Term Rentals Text Amendment**
  - The Board approved an Ordinance defining a “short term rental” and prohibiting the use. The recommendation was unchanged from the Plan Commission.
- **V-01-2023: 6301 County Line Rd. (Zaffar)**
  - The Board directed staff to prepare an Ordinance approving a request for a variation to permit a deck in the front yard/south side of the residence. While the Board remanded the remaining variation requests back to the Plan Commission, they did not support the requests for the fence in the corner side yard setback and the gate height variation request. Regarding the minimum setback requirement for the gate, staff communicated with the petitioner to indicate if that request will still be made for the gate on the property line or if it will be proposed to meet the minimum 30 ft. requirement. The Board directed the Plan Commission to hold a public hearing on amending the driveway gate regulations, specifically to permit a gate on a parcel less than 2-acres. This will be on the December 4<sup>th</sup> Plan Commission agenda.