



**REGULAR MEETING  
PLAN COMMISSION/ZONING BOARD OF APPEALS  
FEBRUARY 19, 2024 - 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 FEBRUARY 5, 2024 MEETING MINUTES**

**III. PUBLIC HEARINGS**

**A. Z-01-2024: 101 Burr Ridge Parkway (RE/MAX); Special Use and Findings of Fact**

Request for a special use to permit a real estate office in a B-2 General Business zoned district in accordance with Zoning Ordinance VIII.C.2.al.

**B. V-01-2024: 15W765 80th St. (LaConte); Variations and Findings of Fact**

Request for a variation from Zoning Ordinance Section IV.J to permit a fence within a corner side yard setback deviating from the minimum 30 ft. required.

**CONTINUED TO MARCH 4, 2024 TO PERMIT NOTICE RE-PUBLICATION.**

**C. Z-15-2023: Zoning Ordinance Amendment for Architectural Entrance Structures and Driveway Gates (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, 2023 & FEBRUARY 5, 2024]**

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.

**D. Z-16-2023: Zoning Ordinance Amendment for Residential Fences (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, 2023 & FEBRUARY 5, 2024]**

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

**IV. CORRESPONDENCE**

**A. Board Reports  
February 12, 2024**

**B. Building Reports**

January 2024

**V. OTHER CONSIDERATIONS**

**A. PC-01-2024: Annual Zoning Review**

**B. By-Laws Amendment - Virtual PC Meeting Attendance**

**VI. PUBLIC COMMENT**

**VII. FUTURE MEETINGS**

**February 26 Village Board**

Chairman Trzupek is the scheduled representative.

**March 4 Plan Commission**

**A. V-02-2023: 16W122 91<sup>st</sup> Street (Leon); Variations and Findings of Fact [CONTINUED FROM AUGUST 21, OCTOBER 16, NOVEMBER 6, & DECEMBER 4, 2023 and JANUARY 15, 2024]**

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-02-2024: 15W627 89<sup>th</sup> Street (Eshghy); Variations and Findings of Fact**

Requests for three (3) variations from Zoning Ordinance Section IV.J, IV.I.34, and IV.H.4 to permit (1) a fence within the corner side yard setback, located 2' off the property line deviating from the 40' minimum regulation, (2) a patio within the corner side yard setback, and (3) a swimming pool within the corner side yard setback.

**C. Z-02-2024: 78 Burr Ridge Parkway (Patti's Sunrise Cafe); Special Use and Findings of Fact**

Requests for a special use for a restaurant over 4,000 sq. ft. with the sale of alcoholic beverages pursuant to County Line Square PUD Ordinance #A-834-19-21 and to amend an existing special use Ordinance #A-834-06-21.

**March 11 Village Board**

Commissioner Petrich is the scheduled representative.

**March 18 Plan Commission – NOT SCHEDULED**

The March 18, 2024, Plan Commission meeting was not scheduled due to the primary election. The following cases were continued to that meeting date at a previous meeting and will need to be continued

to a different date. On February 12, 2024, the Board directed the Plan Commission to hold a public hearing regarding year-round outdoor dining and the first available meeting for that hearing would not be until April 1, 2024. Staff recommends continuing the following cases to April 15, 2024.

**A. Z-10-2023: 212 Burr Ridge Parkway (Jonny Cabs); Special Use Amendment and Findings of Fact [CONTINUED FROM NOVEMBER 20 & DECEMBER 18, 2023, and FEBRUARY 5, 2024]**

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.

**B. Z-12-2023: 114 Burr Ridge Parkway (Capri Express); Special Use Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4 & DECEMBER 18, 2023, and FEBRUARY 5, 2024]**

Request for an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to special use Ordinance #A-834-17-21 and County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

**VIII. ADJOURNMENT**

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF FEBRUARY 5, 2024**

**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:** 7 – Irwin, McCollian, Parrella, Petrich, Broline, Morton, and Trzupek

**ABSENT:** 1 – Stratis

Planner Ella Stern was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES – JANUARY 15, 2024**

Commissioner Morton clarified a motion made in section two, sentence two.

Commissioner Petrich clarified a motion made on pages two and three.

Commissioner Broline clarified his comment on page four, which should state he supported the chain-link fence because he thought there was a grandfathered consideration to be considered.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Petrich to approve the minutes of the January 15, 2024 meeting as amended.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Petrich, Parrella, McCollian, and Broline

**NAYS:** 0 – None

**ABSTAIN:** 3 – Irwin, Morton, and Trzupek

**MOTION CARRIED** by a vote of 4-0 with three abstentions.

**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. Z-10-2023: 212 Burr Ridge Parkway (Jonny Cabs); Special Use Amendment and Findings of Fact [CONTINUED FROM NOVEMBER 20, & DECEMBER 18, 2023]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated the petitioner requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant. Stern stated at the November 20th Plan Commission meeting, the Plan Commission requested direction from the Board to hold a public hearing to amend the outdoor dining regulations, which is part of the 2024 annual Zoning Review. Stern stated outdoor dining regulations, including the prohibition of wall enclosures, were most recently amended, and approved on May 8<sup>th</sup>, 2023. Stern stated the Plan Commission may determine whether to look at the special use request individually or to continue the case and wait for direction from the Board. Stern stated the property was zoned B-1, Business District in County Line Square. Stern noted a total of 6 public comments were received, all against outdoor dining, but only one of the comments specifically mentioned Johnny Cabs. Stern stated the previous public hearing cases related to Jonny Cabs. Stern stated the Petitioner requested an outdoor dining enclosure close to the curbs, although appeared similar to the approval in 2023. Stern stated the Petitioner requested a fully enclosed, outdoor dining area with black fabric walls. Stern stated no other tenants had a similar design, but Capri Express proposed a similar black wall enclosure at the December 4, 2023, Plan Commission meeting. The Petitioner requested the outdoor dining enclosure for the winter season, deviating from the regulations that all outdoor dining furniture shall be removed during the winter season, and outdoor dining areas shall not be occupied from November 1st through March 1st. Stern showed images of the proposed outdoor dining enclosure. Stern stated the Petitioner provided findings of fact that could be adopted by the Plan Commission with their recommendation and were included in the staff report. Stern stated there were four recommended conditions if the Commission wished to recommend approval, noting that condition three would be removed if the Plan Commission allowed outdoor dining year-round.

Chairman Trzupek invited the Petitioner to speak.

The Petitioner, Patrick Magnesen of Jonny Cabs stated Stern provided a great summary.

Chairman Trzupek clarified the special use requests for an outdoor dining enclosure and to permit outdoor dining from November 1st through March 1st. Chairman Trzupek suggested the Plan Commission may need to remove the condition from the 2021 approval or potentially have a text amendment, so outdoor dining was permitted from November 1st to March 1st.

Commissioner Morton asked for clarification about a special use regarding year-round outdoor dining.

Stern clarified that a text amendment or condition to permit year-round outdoor dining would be required because the current outdoor dining regulations prohibit outdoor dining from November 1st to March 1st.

Chairman Trzupek stated there was a condition from Johnny Cabs 2021 approval noting that outdoor dining was only seasonal, and he noted they would need to remove that condition. Chairman Trzupek discussed the special use request for an enclosure and outdoor dining year-round. Chairman Trzupek noted the Plan Commission had not taken a condition off of a recommendation, and a text amendment may be more uniform.

Commissioner Morton noted the outdoor dining enclosure was a striking contrast to the rest of the development and preferred it to be open. Commissioner Morton noted he was open-minded. Commissioner Morton asked about direction regarding a text amendment.

Commissioner Broline asked about advertising the enclosure. Commissioner Broline noted there was an additional petition regarding an outdoor dining enclosure. Commissioner Broline pointed out other outdoor dining areas at restaurants within the vicinity. Commissioner Broline noted he would prefer one text amendment for outdoor dining areas or for the County Line Square Planned Unit Development.

The petitioner noted there was some advertisement on the front of the awning.

Commissioner Petrich stated the fabric structures were pretty unsightly. Commissioner Petrich stated concern that it proliferates throughout all the other restaurants that ask for temporary type structures. Commissioner Petrich stated he was in favor of a permanent type of structure, such as glass. Commissioner Petrich noted the location of the outdoor dining enclosure at Johnny Cabs and suggested a localized vestibule used just during the winter. Commissioner Petrich noted he was not in favor of approving case by case without better standards or more permanent structures.

The petitioner stated concern with a glass structure due to the sun.

Commissioner Broline agreed that they prevent presenting a view in the area.

Commissioner Parella agreed with the Commissioner's previous comments. Commissioner Parella stated she did not have a problem with enclosures but did not like the particular look of the proposed enclosure.

Commissioner McCollian agreed with Commissioner Parella. Commissioner McCollian stated she liked the idea of the ability to take down the enclosure and have open-air dining.

Commissioner Irwin stated as long as the enclosure was temporary, looked nice, the sidewalk was open, and had rules that consistently apply, he did not have a problem with the enclosure.

Chairman Trzupek asked the petitioner about the enclosure and expanding the space.

The petitioner stated the enclosure was not primarily used for dining rights, and that it was used for the guests when they waited for a table. The petitioner noted the space was warm and weatherized with electric heaters. The petitioner noted there were couches and chairs in the space. The petitioner noted when the weather warms up in spring, they would take down the walls and have an open space. The petitioner noted the extra seats were crucial to the business.

Chairman Trzupek was in favor of a different enclosure or material but stated there was still an issue with year-round outdoor dining. Chairman Trzupek noted if the Plan Commission were in support of year-round outdoor dining, they could make a recommendation to remove the condition that was in the Jonny Cabs 2021 approval or have a text amendment so that anybody with outdoor dining had the ability to enclose their outdoor dining space and use it year-round. Chairman Trzupek summarized the Commissioners comments.

Commissioner Morton stated support of a uniform path forward instead of having the special use requests case by case.

Commissioner Irwin and Commissioner Petrich agreed with Commissioner Morton and preferred to have standards that could be applied to the enclosures.

The Commissioners discussed vestibules and enclosures.

Chairman Trzupek noted a fully enclosed area with heating, cooling, ventilation, and safety could become a concern.

Commissioner Morton clarified the petitioner was currently using the space.

The petitioner confirmed the space was being used.

Commissioner Irwin asked if the petitioner had a building permit from the Village.

The petitioner stated the awning and fence were approved, but the panels and enclosure were installed without a permit.

Chairman Trzupek suggested continuing the case until the petitioner came back with a new proposal for a different outdoor dining enclosure, and to ask the Board to hold a public hearing on modifying the outdoor dining to include year-round outdoor dining.

The Commissioner discussed standards and materials for enclosures. The Commissioners supported enclosures that were complementary, distinctive, and individual.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Parella to continue Z-10-2023 until the March 18, 2024 meeting and ask the Board to hold a public hearing regarding year-round outdoor dining.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, Parella, McCollian, Petrich, Broline, Morton, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**B. Z-12-2023: 114 Burr Ridge Parkway (Capri Express); Special Use Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, & DECEMBER 18, 2023]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated the petitioner requested an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant. Stern stated at the December 4th Plan Commission meeting the Plan Commission continued the case. Stern stated at the November 20th Plan Commission meeting, the Plan Commission requested direction from the Board to hold a public hearing to amend the outdoor dining regulations, which is part of the 2024 annual Zoning Review. Stern stated the property was zoned B-1, Business District in County Line Square. Stern noted two public comments were received. Stern stated the previous public hearing cases related to Capri Express. Stern showed images of the proposed outdoor dining enclosure. Stern stated the petitioner provided findings of fact that could be adopted by the Plan Commission with their recommendation and were included in the staff report. Stern stated there were four recommended conditions if the Commission wished to recommend approval, noting that condition three would be removed if the Plan Commission allowed outdoor dining year-round.

Chairman Trzupek invited the petitioner to speak.

The Petitioner, Vito Salamone of Capri Express, stated the request was similar to Jonny Cabs' special use request.

Chairman Trzupek asked the petitioner about the entryways and noted it was different than Jonny Cabs.

The petitioner stated there were two doors on the enclosure and only one door to the restaurant. The petitioner confirmed that one must enter through the outdoor dining enclosure to enter the building.

The Commissioners discussed the outdoor dining regulations pertaining to entryways.

The petitioner stated they were open to changing the look of the enclosure. The petitioner confirmed they want to use the enclosure through the winter.

Commissioner Petrich suggested that the petitioner work with staff to create guidelines or complementary designs to Jonny Cabs' enclosure.

The petitioner noted they would work with staff and Jonny Cabs to create an attractive and complementary design.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to continue Z-12-2023 until the March 18, 2024 meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, Morton Parella, McCollian, Petrich, Broline, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**C. Z-17-2023: 16W020 79<sup>th</sup> Street (Dodevski/Lyons Truck Sales); Special Use and Findings of Fact [CONTINUED FROM JANUARY 15, 2024]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated the request was for a special use to permit the continued use of a non-conforming chain link fence on the subject property. Stern stated on February 5th, the Plan Commission held a public hearing. Stern noted the Plan Commission continued the case and directed the petitioner to return with the plan to keep the chain link fence and replace the solid wooden fence with the 50% open wooden fence that was five or six feet tall. Stern stated the petitioner provided updated images of the fence, noting that the height was now 6 feet tall and 50% open, and the chain link fence was still on the site plan. Stern showed images of the proposed fence and site plan. Stern stated in 2015, a special use was granted to Lyons Truck Sales for truck sales use. Stern stated in 2019, a special use was granted to allow for the temporary use of the fence for five years. Stern stated the petitioner requests a special use to permit the continued use of a non-conforming chain link fence on the subject property. Stern stated the temporary special use expires on February 11th, 2024. Stern noted the applicable Zoning Ordinance Section. Stern stated the petitioner provided findings of fact that could be adopted by the Plan Commission with their recommendation and were included in the staff report. Stern stated there was one recommended condition if the Commission wished to recommend approval.

Chairman Trzupek noted he was absent at the January 15th, 2024, Plan Commission meeting. Chairman Trzupek stated he thought the intent from the 2018 temporary approval was to eventually remove the chain-link and barbed wire fence. Chairman Trzupek summarized the January 15th, 2024, Plan Commission meeting.

Commissioner Irwin agreed with Chairman Trzupek, that he thought the plan was to eventually remove the chain-link fence. Commissioner Irwin stated there had been no additional criminal activity at the location and he was against the chain-link fence.

Commissioner Broline noted at the January 15th, 2025 Plan Commission meeting, the Commissioners noted maintaining the chain-link fence, should be added as a condition. Commissioner Broline noted they were good citizens. Commissioner Broline mentioned the public comment received regarding the parking of trucks and cars.

Commissioner Petrich noted that the new proposed fence was a six-foot wooden fence, 50% open and enhanced by landscaping along Frontage Road and Madison Street. Commissioner Petrich noted he was slightly sympathetic since the fence was

grandfathered in.

Chairman Trzupek invited the petitioner to speak.

The Petitioner, Vic Dodevski of Lyons Truck Sales, stated he would tell the people to move the trucks and car. The petitioner confirmed they need the existing chain-link fence for security. The petitioner noted they provided the requested information pertaining to the wooden fence.

Chairman Trzupek noted when he drove by the site Friday afternoon, a car was parked in the driveway. Chairman Trzupek noted that was a separate issue from the fence. Chairman Trzupek summarized his recollection from the 2018 approval. Chairman Trzupek asked the petitioner questions about the chain-link fence.

Randy King, the architect for the petitioner, noted less than 3 miles from the site, two trucks were stolen in the last week, and there was a security issue. King mentioned the significant grade change between the fences.

Chairman Trzupek noted the corners, towards I-55, splay away from the fence and asked the petitioner if they could prohibit access between the fences. Chairman Trzupek clarified his comment by pointing to the proposed site plan.

Commissioner Irwin stated the chain-link fence was not necessary, and he was not in support of the chain-link fence.

Commissioner McCollian stated she would be ok with a chain-link fence if the petitioner put up the new proposed wooden fence and landscaping. Commissioner McCollian stated she was not at the original discussion in 2018.

Commissioner Parrella stated the petitioner needed security and questioned if the new wooden fence could become security. Commissioner Parrella stated she did not support the chain-link fence but did not support the idea of a resident being exposed to theft or compromising the security at the property.

Commissioner Petrich reiterated the chain-link fence existed before the petitioner had the business and prior to the Ordinance amendments. Commissioner Petrich noted a condition should be added to repair the chain-link fence and add landscaping, subject to staff approval.

Commissioner Morton stated the 50% open wooden fence may provide security and could be a perimeter-blocking device that could prevent people from easily gaining access. Commissioner Morton noted someone may be able to crawl and scale over a chain-link fence. Commissioner Morton questioned the need for two fences. Commissioner Morton stated he may support keeping the chain-link fence just along I-55. Commissioner Morton mentioned theft and the fences around the vicinity. Commissioner Morton generally agreed that the 2018 approval was intended for the

petitioner to eventually remove the chain-link fence.

Chairman Trzupek stated he was not entirely opposed to the chain link. Chairman Trzupek stated he was not in support of the chain-link fence but understood why it is there. Chairman Trzupek noted the existing chain-link fence was not in good shape. Chairman Trzupek summarized the special use requests.

Commissioner Petrich asked what the vote was at the previous meeting. Commissioner Petrich noted the petitioner complied with the requests that the Plan Commission made at the last meeting. Commissioner Petrich noted the petitioner was willing to make improvements. Commissioner Petrich agreed that closing the wooden fence at the two ends would enhance security.

Chairman Trzupek clarified the vote at the January 15th, 2024, Plan Commission meeting was 5-0.

The Commissioners discussed climbing fences.

Commissioner Irwin reiterated the consensus in 2018 was to remove the chain-link fence in five years.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner McCollian to close the public hearing for case Z-17-2023.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Petrich, McCollian, Irwin, Parella, Broline, Morton, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner McCollian to approve case Z-17-2023, with Findings of Fact, and the following conditions:

1. Additional evergreen landscape screening shall be added in the areas along S. Frontage Rd. and Madison St., subject to staff review and approval.
2. The chain-link fence shall be repaired and maintained, subject to staff review and approval.
3. The wooden fence shall be 50% open, 6' in height, and close the two ends of the property with the chain-link fence, subject to staff review and approval.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Petrich, McCollian, Parella, and Broline  
**NAYS:** 3 – Irwin, Morton, and Trzupek

**MOTION CARRIED** by a vote of 4-3.

**D. Z-15-2023: Zoning Ordinance Amendment for Architectural Entrance Structures and Driveway Gates (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, 2023]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated on November 13th, the Board of Trustees directed the Planning Commission to hold a public hearing on potential zoning ordinance text amendment pertaining to architectural entrance structures and driveway gates. Stern stated the direction from the Board focused on residents within the residential districts and to consider the permitted size of a parcel for a driveway gate. Stern stated depending on whether or not the Plan Commission wishes to amend the driveway gate regulations, the regulations for architectural entrance structures may also need to be amended. Stern stated on December 4th, the Plan Commission continued the case and directed staff to research the estimated number of homes between 1 and 2 acres, traffic speed limits, and traffic volume counts throughout the Village. Stern noted the information regarding speed limits. Stern stated information was not provided for every street throughout the Village. Stern noted that North Frontage Road and South Frontage Road had the highest speed limits at 35 mph. Stern showed an image of a map that noted the annual average daily traffic counts throughout the Village. Stern stated County Line Road had the largest volumes of traffic, and Plainfield Road, Madison Street, and Wolf Road had high had higher volumes of traffic. Stern showed three maps that noted the properties per a specific zoning district. Stern noted approximately 50 properties were zoned R-1 Single-Family Residence (5 acres). Stern stated the R-1 Single-Family Residence zoned properties included the Trinity Lutheran Church, 15W460 N Frontage Road, Growers Middle School, Burr Ridge Middle School, Burr Ridge Public Works, Walker Park Subdivision, King Burwaert Home Subdivision, and Heatherfields Subdivision, in which the properties were smaller than 5 acres, or non-residential uses. Stern noted approximately 42 properties were zoned R-2 Single-Family Residence (2 acres), and approximately 300 properties were zoned R-2A Single-Family Residence (40,000 sq ft.). Stern stated the driveway gate provisions have been changed over the years. Stern reviewed the current regulations for driveway gates and architectural entrance structures, including the regulations of the Village's neighboring municipalities. Stern noted formal language had not been proposed for adoption in the staff report.

Chairman Trzupek confirmed the speed limit on Plainfield and County Line Road was 45 miles per hour.

Stern noted the staff's research did not include speed limits over 35 miles per hour.

Chairman Trzupek asked for public comment.

Bill Ryan, attorney for the owner of 6301 County Line Rd., provided the Plan Commission with proposed draft language for the driveway gate text amendment. Ryan stated he researched surrounding towns and mirrored the proposed text amendment of the Oakbrook, Willowbrook, and Hinsdale regulations. Ryan discussed his proposal



and arterial roads. Ryan noted the Burr Ridge Comprehensive Plan defined the arterial roadways.

Commissioner Irwin asked which roads were arterial.

Ryan stated Route 83, County Line Road, Plainfield Road, Madison Street, 55th Street and Wolf Road were arterial roads. Ryan suggested if a resident was on an arterial roadway, they should have the opportunity to be permitted to use a gate due to security and safety. Ryan discussed the proposed text amendment.

Chairman Trzupek confirmed that the current regulations for a driveway gate were based on the size of the property. Chairman Trzupek noted the petitioner introduced the idea to have the regulations based on arterial roadways. Chairman Trzupek noted the staff's findings regarding the speed limits and traffic counts throughout the Village. Chairman Trzupek stated he was open to the idea of a text amendment that considered the arterial roadways.

Rey Zaffar, 6301 County Line Rd., stated the speed limit on Plainfield Rd. and County Line Rd. was 45 miles per hour.

Commissioner Morton asked for clarification regarding the traffic count map. Commissioner Morton stated he was open to a text amendment that considered thoroughfares or arterial roadways as an exception. Commissioner Morton noted the Board of Trustees proposed changing the acreage. Commissioner Morton noted the total amount of properties in the R-1 and R-2 zoning was approximately 80, but then the R-2A zoning district had over 300 properties.

Stern stated the map showed the annual average daily traffic counts throughout the Village.

Commissioner Broline noted the traffic count map was informative. Commissioner Broline noted County Line Rd. was a busy street. Commissioner Broline stated the proposed language did not have a limit on the property size.

Commissioner Petrich remarked that allowing properties in zoning district R-2A to have a gate would allow at least 300 properties to have gates, potentially leading to the proliferation of gates. Commissioner Petrich discussed the traffic counts and stop signs. Commissioner Petrich noted if there was an issue, the County could discuss addressing traffic or speed limits.

Commissioner McCollian was in support of a text amendment that considered thoroughfares or arterial roadways. Commissioner McCollian suggested creating a special use for a property less than two acres or if one was on an arterial road with a traffic count over a certain amount. Commissioner McCollian noted the proposal was a nuanced approach and would allow a property-by-property basis to address one's concerns.

Commissioner Irwin stated he struggled to understand the correlation between traffic and the need for a gate.

Commissioner Parrella noted she believed that was the initial proposal.

Commissioner Irwin noted the increase of traffic on County Line Rd., north of 70th Street, and suggested if the Plan Commission determined to go down that path, limit it to County Line Rd., north of 79th St. and Plainfield Rd.

Chairman Trzupek stated the traffic counts were meaningful. Chairman Trzupek noted he thought fences should be between something and should not necessarily be limited only by the acreage or frontage of the yard. Chairman Trzupek agreed with Commissioner Irwin regarding the traffic counts on County Line Rd. and north of 79th St. and Plainfield Rd. Chairman Trzupek noted he would be open to considering driveway gates on arterial roads. Chairman Trzupek suggested less broadly defining arterial roads and finding a minimum acreage.

Stern stated staff needed a consensus for draft language to propose at the next Plan Commission meeting.

Chairman Trzupek summarized the Commissioner's discussion pertaining to the consideration for arterial roadways or traffic counts based on a location for the draft language. Chairman Trzupek suggested finding a standard for an arterial roadway or high traffic count.

Commissioner Broline mentioned localities.

The Commissioner's discussed roadways, traffic counts, and speed limits.

Commissioner Petrich stated he would be interested to see the traffic counts on arterial streets in Oak Brook since Ryan's draft language mimicked Oak Brook. Commissioner Petrich stated the definition of an arterial roadway in The Village of Burr Ridge was where traffic comes in from outside of Burr Ridge, which did not necessarily mean that an arterial roadway has high traffic or speed.

Chairman Trzupek suggested the consideration of setbacks.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Morton to continue Z-15-2023 until the February 19, 2024 meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Broline, Morton, Irwin, McCollian, Parella, Petrich, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**E. Z-16-2023: Zoning Ordinance Amendment for Residential Fences (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM DECEMBER 4, 2023]**

Chairman Trzupek introduced the case and asked for a summary. Stern stated on November 13, 2023, the Board of Trustees directed the Plan Commission to hold a public hearing regarding fences in residential districts, specifically for corner lots and permitting fences in the practical rear yard of homes when the home faces the corner side yard. Stern stated on December 4, 2023, the Plan Commission held a

public hearing on Z-16-2023, a request to consider a text amendment to Sections IV.J of the Zoning Ordinance for the regulations pertaining to fences in residential districts. The Plan Commission determined the research regarding architectural entrance structures and driveway gates may benefit the discussion of fences in residential districts. Stern reviewed the current fence regulations and showed illustration of the current fence regulations. Stern showed images illustrating the proposed amendment to the fence regulations. Stern stated the Plan Commission may wish to include an image illustrating the regulation. Stern read the proposed draft language pertaining to corner lots and permitting fences in the practical rear yard of homes when the home faces the corner side yard, as follows; *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 as follows: where the true front or main entrance of the home faces the front yard, such fences shall extend not nearer to the corner side lot line than the required corner side yard setback; where the true front or main entrance of the home faces the corner side yard, such fences shall extend not nearer to the front lot line than the wall of the home closest to that lot line.*

Chairman Trzuppek asked for clarification regarding the proposed draft language.

Stern showed example images where the front of the home faces the corner side yard and the front yard and where a fence would be permitted under current regulations, and an example where the front of the home faces the corner side yard and where a fence would be permitted under the proposed regulations. Stern stated if a home were on a corner lot and the front of the home was oriented to the corner side yard, a fence would be permitted to the rear of the front of the home. Stern noted in the draft language, that the true front lot line language was different than the front lot.

Chairman Trzuppek asked for public comment.

Bill Ryan, attorney for the owner of 6301 County Line Rd., provided the Plan Commission with proposed draft language for the fence text amendment. Ryan discussed the fence proposal and mentioned the proposal included the consideration of arterial roadways. Ryan discussed a neighboring municipality's fence regulations. Ryan asked the Plan Commission to review fences, including the relationship to arterial roadways.

Robert Haley, 8461 Carlisle Ct. in Cambridge Estates, supported the staff's recommended language. Haley stated that his house was on a corner property, and the address was Carlisle Ct., but the home faced Camelot Drive. Haley stated although their practical rear yard was to the rear of the home, it was the side yard, and the fence permit was denied. Haley stated the proposed language solved the problem for people living on corner lots where the address of the home was not where the home faces.

Chairman Trzupek summarized the text amendment request.

Commissioner Irwin stated the arterial roadways were not a current issue. Commissioner Irwin discussed the proposed language. Commissioner Irwin stated concern for the neighboring properties. Commissioner Irwin suggested considering the location of a fence on a corner lot for the homes adjacent to the corner lot, so a fence does not extend to the front of a neighbor's property.

Commissioner McCollian agreed with Commissioner Irwin's suggestion. Commissioner McCollian stated she would be open to a subsequent discussion on fences on arterial roadways.

Commissioner Parrella agreed with Commissioner McCollian.

Commissioner Petrich questioned a statement made by Bill Ryan. Ryan stated he believed the Board recommended looking at gates and fences due to an issue regarding fences on busy arterial streets. Commissioner Petrich stated he was at the meeting and did not recall the Board saying that. Commissioner Petrich recalled a suggestion to put a hedge on the front of the house and clarified the discussion at the Village Board meeting. Commissioner Petrich agreed with Commissioner Irwin.

Commissioner Broline noted the draft language for the proposed text amendment was unclear. Commissioner Broline discussed the different zoning districts pertaining to buildable areas and setbacks.

Commissioner Morton asked Stern how the revised language would help the decision-making process in regard to the case a few weeks ago for a fence on a corner lot. Commissioner Morton agreed with Commissioner Irwin's suggestion.

Stern stated the language would conform with the approved case.

Chairman Trzupek supported the proposed language. Chairman Trzupek agreed with Commissioner Irwin's suggestion. Chairman Trzupek suggested tightening the proposed language and would want to know if the language affects the setbacks or buildable areas. Chairman Trzupek suggested including a definition for what is considered the front. Chairman Trzupek supported the direction moving forward and referenced an image illustrating the proposed language. Chairman Trzupek stated he was sympathetic to the issue of fences on arterial roadways but believed that was a separate discussion.

Commissioner Irwin supported the concept of the short fence.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to continue Z-16-2023 until the February 19, 2024 meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, McCollian, Parella, Petrich, Broline, Morton and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**IV. CORRESPONDENCE**

There were no comments on the Board Report or Building Report.

**V. OTHER CONSIDERATIONS**

**A. PC-01-2024: Annual Zoning Review**

Chairman Trzupek stated the annual zoning review was continued at the January 15, 2024 meeting and suggested continuing the case again. Chairman Trzupek asked the Commissioners if there were any items on the list that the Commission wanted to discuss immediately.

Commissioner Irwin confirmed the Commission was reviewing approvals of variations that may need a text amendment.

Commissioner Petrich suggested a text amendment for the outdoor storage of vehicles. Commissioner Petrich discussed the vehicles by UR Boss and Coda Motors. Commissioner Petrich stated if they were going to allow fences for automobile storage, they may as well address it properly.

Chairman Trzupek agreed with Commissioner Petrich and noted there were more issues than just a fence. Chairman Trzupek asked if there were any items the Commission wanted to direct the Board to ask for a public hearing tonight.

Stern stated the list of items on the presentation were items that the Board of Trustees, Plan Commission, and staff requested to be brought forward at the 2024 annual zoning review for further consideration and possible direction to pursue as text amendments.

Chairman Trzupek suggested deferring discussion on the items but sought a motion to ask the Board to direct a public hearing regarding outdoor storage and continue the review for another time.

Commissioner Petrich noted the review regarding decibel level regulations for swimming pool equipment should include generators.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Irwin to direct the Board to hold a public hearing regarding the outdoor storage of vehicles and equipment.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Petrich, Irwin, McCollian, Parella, Broline, Morton and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

Commissioner Irwin clarified outdoor storage should be added to the Annual Zoning Review, but stated the Definition of Family, and the Definition of Boarding, Rooming, and Lodging Homes were important

Chairman Trzupek suggested the Commission continue the items to discuss them in more detail.

The Commission briefly discussed masonry piers.

Commissioner Petrich asked about outdoor dining.

Chairman Trzupek noted the Commission asked the Board to hold a public hearing regarding outdoor dining.

Commissioner Morton agreed with Commissioner Irwin's concern.

Commissioner Irwin mentioned the item regarding an amendment to the Plan Commission bylaws to permit virtual attendance. Commissioner Irwin noted the Board of Trustees had a virtual attendance.

The Commission discussed amending the Plan Commission bylaws to permit virtual attendance.

Stern stated she would research the regulations and procedures to permit virtual attendance.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Parrella to direct the Board to hold a public hearing regarding the definition of family, definition of boarding, rooming, and lodging homes, the height of a detached garage door, and continue PC-01-2024 to the February 19, 2024 meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, Parella, McCollian, Petrich, Broline, Morton and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**B. PC-02-2024: 16W0290 Jeans Road (Oburrdale Inc.) Extraterritorial Review of a Conditional Use and Variation**

Chairman Trzupek introduced the case and asked for a summary. Stern stated the property is in unincorporated DuPage County. The property is zoned Light Industrial, and properties were zoned Light and General Industrial in the immediate areas and include outdoor storage and truck traffic uses. Stern stated that there were no buildings on the property and the property is being used for outdoor storage of equipment, storage containers, trailers, and landscaping materials such as wood, gravel, and sand. On January 12<sup>th</sup>, staff sent a letter requesting an extension from DuPage County to formally have the case reviewed by the Plan Commission on February 5<sup>th</sup>. The DuPage County public hearing was held on January 25<sup>th</sup> and continued to March 7<sup>th</sup>. At the January 25<sup>th</sup> Zoning Board of Appeals, the Commission requested the petitioner to submit more information regarding the site and if it was possible for the petitioner to move the items and storage to the interior of the property to have an access road or path around the exterior of the property. The Commission may wish to submit comments on the proposal.

Chairman Trzupek confirmed this business is in operation today and in violation in terms of where stuff is being stored, including in setbacks. Chairman Trzupek asked why the Commission would support storing potentially flammable materials closer than they are supposed to be, and in a setback. Stern stated that the Commission likely would not support that and would submit comments to that effect in a letter.

Commissioner Morton questioned the firewood storage and if it could harbor bad insects, including ones that could be harmful to the tree population. Chairman Trzupek noted that was a good point.

Chairman Trzupek asked if the material could be stored indoors. Stern stated that request is for the variations for storage from property lines and the conditional use.

Commissioner Petrich confirmed the perimeter path could be within the setback. Commissioner Irwin asked about the variations and Stern confirmed it is for the storage of the materials on the property line. Commissioner Irwin did not know you could not store materials on the property line. Chairman Trzupek stated that the conditional use is for the open storage of materials and variations for that material and equipment on the property line. Commissioner Irwin stated that it appears they want to build on the property line and store their wood or trailers on the property line.

Chairman Trzupek stated that the objection is to the use for open storage of materials and without consideration for the location. Chairman Trzupek noted that setbacks were typically for buildings.

Commissioner Petrich stated the property was a mess and would not be allowed in Burr Ridge.

Chairman Trzupek confirmed that a letter of objection can be sent to DuPage, noting the concerns mentioned.

A **MOTION** was made by Commissioner Parella and **SECONDED** by Commissioner Petrich to direct staff to send a letter of objection to DuPage County.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Parella, Petrich, Irwin, McCollian, Broline, Morton and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0

**C. PC-03-2024: 901 McClintock Drive (Royal Oaks Development) - Informal Discussion**

Chairman Trzupek introduced the case and asked for a summary. Stern stated that the petitioner, Sam, is requesting a pre-application conference to discuss the potential construction of a 16-unit townhome development at 901 McClintock Dr. The petitioner presents the consideration to the Plan Commission to gauge the Commission's feedback. Stern stated that the informal review process is offered to any potential petitioner within the planning process. The preliminary plan shows 16 townhomes in eight blocks of two units each. There were 12 guest parking spaces, density is 3.3 units per acre, and the structures were 29'9" in height. Stern showed the elevations and proposed floor plans.

Chairman Trzupek asked if the petitioner was present.

The petitioner's architect, Randy King with Architects By Design, stated that office space is going to be at a low demand and for the property, their intent is to attract current Burr Ridge residents that want to stay in Burr Ridge, walk to the downtown, but do not quite want as big a house. The proposed townhomes will be customized regarding elevators and garages. King described the site plan and proposed orientation of the homes, the setbacks between the buildings, the reduction in impervious from the previous office proposal, and the density. The intent is to have the same size home as a detached single-family home, but to downsize and remove the maintenance responsibility. King stated that the zoning requests are to rezone from the O-2 to the R-5 PUD, a variation for the 80-acre minimum, but for the buildings and setbacks, there are no other variations requested. King showed the fire access, landscaping, and the pavilion.

Chairman Trzupek asked about the density and if it includes the pond. King confirmed. Chairman Trzupek noted the preapplication process and asked if staff had any comments on the proposal. Stern stated that staff has reviewed, and the petitioner



made changes to the plans to address the landscaping, rearranged parking, and reoriented the townhomes.

Chairman Trzupsek was concerned about the orientation of the homes and that a garage door is the front entrance which is not attractive.

King stated that you would enter a more open, greener, landscaped area, and would not see all the garage doors. There is an attempt to berm and shelter the homes from all the adjacent parking lots.

Chairman Trzupsek confirmed that there is landscaping and the park to the north, but it is mainly paving between the units.

King stated that there are architectural variations within the complex regarding the garage doors.

Commissioner Morton asked if it is a grade level entrance, duplex with common wall, and asked about fire suppression. King confirmed fire suppression is a consideration and they are building a block wall between units.

Commissioner Morton asked about the shared parking lot entrance with the commercial property to the south. King confirmed it will be shared.

Commissioner Broline had no comments.

Commissioner Petrich stated it does not look like a downsizing product due to the size and the price point. For the public hearing, Commissioner Petrich requested the lighting and landscaping plans to be more detailed, and the monotony be addressed. Commissioner Petrich asked about any improvements to the pond perimeter road.

King stated that before the public hearing, engineering, lighting, HOA requirements will be addressed but right now is to gauge the Commission's interest before spending additional money.

Commissioner Parrella asked what the frontage is of each unit. King stated approximately 24 feet. Commissioner Parrella stated that is like a Chicago lot. Commissioner Parrella stated that the proposal has potential as long as it is not overcrowded, considers all the safety issues, and privacy issues. Commissioner Parrella would like to see the next step.

Commissioner McCollian did not have anything to add and appreciated that it was designed in a way that kept requests to a minimum.

Commissioner Irwin stated it looks out of place in this area which has office complexes all around and the townhomes do not make sense and are squeezed into this little area. Commissioner Irwin did not support rezoning from Office to Residential.

Chairman Trzupek agreed and was concerned about how the zoning map would look with having a piece of residential in this area. Chairman Trzupek was concerned about the density and noted the pond to the north and if the property line were further south, the density would be greater. Chairman Trzupek was also concerned about the downsizing proposal.

King stated that while the homes are larger, which is what people want when guests are in town, the downsizing aspect comes from the responsibility of taking care of the property. The HOA will take care of those things. King stated that basements and garages are not considered in the square footage of homes.

Chairman Trzupek stated that the size of the homes could accommodate a family with kids and the location is not great for that.

King stated that the idea is for 65 and older and does not have an intent to impact the school district but does not know how to codify that with the HOA.

Chairman Trzupek stated that in regard to the potential public hearing, the concerns were about density, architectural monotony, and the size of the townhome product.

Commissioner Petrich stated that if the product is upscale and dedicated to 65 and older, elevators should become standard. King stated that elevators will be planned for each unit, but it could become a pantry and could be converted into an elevator later.

Chairman Trzupek asked about the timeframe for submittal. King stated that there is a deadline, and they would need to move quickly.

Commissioner McCollian asked if two-car garages are large enough. King stated that when you start going into the three-car garage, the square footage starts ramping up.

Chairman Trzupek stated that there is no public hearing on the proposal, but the public comment portion is next.

## **VI. PUBLIC COMMENT**

Chairman Trzupek asked for public comment.

Ellen Raymond stated that the Chairman addressed her concerns about the previous proposal and asked about the dwelling units per acre without the pond. Chairman Trzupek noted the lot size is what it is, but in reality part of the lot is a line in the pond. Raymond asked to have the density without the water included. Chairman Trzupek stated that the dry acreage could potentially be addressed. Raymond was shocked that the Commission was able to have this discussion and not give the notice to the neighbors. Chairman Trzupek stated that the Commission can, and it is just comments provided to a petitioner and an informal discussion. Raymond stated that it would be nice to somehow notify people who spoke at the last public hearing about items in this area.

**VII. FUTURE MEETINGS**

Parrella confirmed that she is the representative for the February 12<sup>th</sup> Board meeting and that the meeting starts at 6:30p.

Stern confirmed there are four cases scheduled for February 19<sup>th</sup> Plan Commission meeting.

**VIII. ADJOURNMENT**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to adjourn the meeting at 9:37 p.m.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Irwin, McCollian, Parella, Petrich, Broline, Morton and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

**Respectfully Submitted:**

\_\_\_\_\_  
Ella Stern  
Planner



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

**Z-01-2024: 101 Burr Ridge Parkway, Unit 150 (Smith/RE/MAX); Request for a special use to permit a real estate office in a B-2 General Business zoned district in accordance with Zoning Ordinance VIII.C.2.al.**

**HEARING:**

February 19, 2024

**TO:**

Plan Commission  
Greg Trzupek, Chairman

**FROM:**

Ella Stern, Planner

**PETITIONER:**

Coya Smith

**PETITIONER**

**STATUS:**

Prospective Tenant

**PROPERTY OWNER:**

101 BRP, LLC

**EXISTING ZONING:**

B-2 General Business

**LAND USE PLAN:**

Mixed Uses, Office &  
Retail

**EXISTING LAND  
USE:**

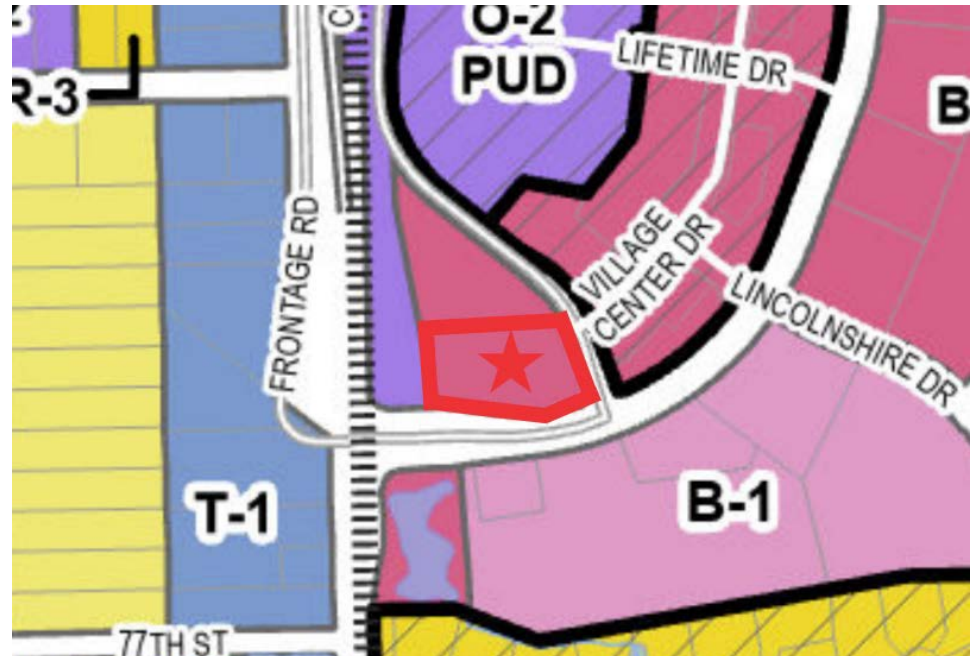
Office Building and  
Harris Bank

**SITE AREA:**

1.8 acres

**SUBDIVISION:**

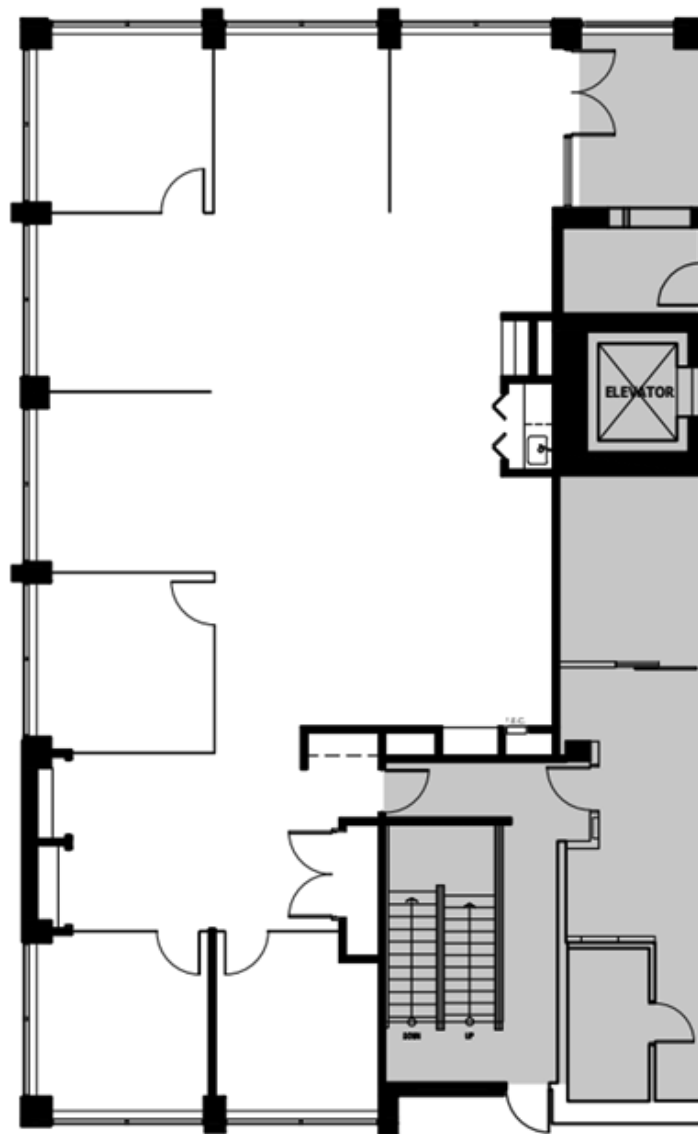
Burr Ridge Corporate  
Park



## Staff Report and Summary

Z-01-2024: 101 Burr Ridge Parkway, Unit 150 (Smith/RE/MAX); Special Use and Findings of Fact

The petitioner is Coya Smith of RE/MAX Properties. The petitioner requests a special use to permit a real estate office in a B-2 General Business zoned district in accordance with Zoning Ordinance VIII.C.2.a1. RE/MAX Properties is a real estate office that offers services and sponsorships to businesses and residents. The proposed site is located on the 1st floor of the Harris Bank Building. RE/MAX Properties has fifteen agents that primarily work remotely but will come in and out of the office. The petitioner stated that there would be five employees at the office and that no more than ten employees would be at the office at any given time. The petitioner intends the hours of operation to be by appointment, Monday through Friday, 10:00 a.m. to 4:00 p.m., and Saturday and Sunday, 9:00 a.m. to 12:00 p.m. The parcel at 101 Burr Ridge Parkway has approximately 93 parking spaces and three accessible parking spaces. The petitioner intends to use between eight and ten parking spaces.



### **Suite #150 - As-Built Conditions**

2,700 Rentable Square Feet

*The existing layout of the site.*

## Staff Report and Summary

Z-01-2024: 101 Burr Ridge Parkway, Unit 150 (Smith/RE/MAX); Special Use and Findings of Fact

As part of the application, the petitioner provided information about proposed signage. The proposed signs comply with the Sign Ordinance regulations for window signs. The two proposed signs use no more than three colors, and the total sum of all window signs does not exceed 40 percent of the total area of the windows in which they are located.



*Proposed signage.*

### **Public Hearing History**

There were previous zoning cases regarding antennas and signage for Harris Bank. Staff can furnish additional details on these cases upon request. These previous cases did not appear to have relevance to the current request.

### **Public Comments**

No public comments were received.

### **Findings of Fact and Recommendation**

The petitioner has provided Findings of Fact, which may be adopted if the Plan Commission is in agreement with those findings. If the Plan Commission chooses to recommend approval for a special use to permit a real estate office in a B-2 General Business zoned district in accordance with Zoning Ordinance VIII.C.2.al., staff recommends that the special uses be granted subject to the following conditions and Findings of Fact:

1. The special use shall be limited to Coya Smith and her business partners and shall expire at such time that Coya Smith and her business partners no longer occupy the space at 101 Burr Ridge Parkway, Unit 150, or at which time there is an assignment or termination of the lease for the space at 101 Burr Ridge Parkway, Unit 150.
2. The special use shall be limited to RE/MAX Properties and operated in a manner consistent with the submitted business plan included as Exhibit A.

Staff Report and Summary

Z-01-2024: 101 Burr Ridge Parkway, Unit 150 (Smith/RE/MAX); Special Use and Findings of Fact

3. The special use shall be limited to the 2,700 square feet of floor area shown within the business plan at 101 Burr Ridge Parkway, Unit 150, included as Exhibit A.

**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): Coyne J. Smith

STATUS OF PETITIONER: \_\_\_\_\_

PETITIONER'S ADDRESS: 819 Burlington Ave, Western Springs

ADDRESS OF SUBJECT PROPERTY: 101 Burr Ridge Parkway - 1st Flr North Corner  
#150 OFFICE

PHONE: 708-903-5110

EMAIL: COYA@COYASmith.com

PROPERTY OWNER: Managing Agent: Theresa Schulz

PROPERTY OWNER'S ADDRESS: 101 Burr Ridge PHONE: 630-737-1200

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

### DESCRIPTION OF REQUEST:

WINDOW SIGN - DECAL WITH NAME OF BUSINESS / LOGO  
- RE/MAX Properties -  
(BALCONY LOGO) } See Attached format  
(FOR EXAMPLE IN EAST FACING WINDOW. (2))

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

PROPERTY ACREAGE/SQ FOOTAGE: ~~2900~~ 78,756 sq ft EXISTING ZONING: B-2

EXISTING USE/IMPROVEMENTS: HARRIS Bank Building

SUBDIVISION: Shops of Burr Ridge Burr Ridge corporate park

PIN(S) # 18-30-304-004-0000

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

Coyne J. Smith

Date of Filing

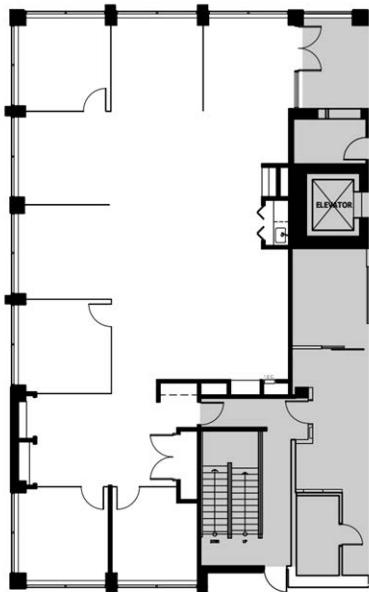
1-9-2024



## EXHIBIT A

[Depiction of the Premises]





## **Suite #150 - As-Built Conditions**

2,700 Rentable Square Feet

**EXHIBIT F**

**SIGNAGE**





Findings of Fact – Special Use  
Burr Ridge Zoning Ordinance

Address:

101 Burr Ridge Pkwy #150 - North Corner  
1st Floor Office

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.  
With population over 11K, there is NO NATIONAL BRAND NAME REAL ESTATE COMPANY IN LOCATION, RE/MAX TO PROVIDE ASSET WITH SPONSORSHIP OF EVENTS, PROMOTING COMMUNITY AND BUSINESSES
- 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.  
NO, THE ESTABLISHMENT (RE/MAX REAL ESTATE) OFFICE WILL OFFER SERVICES + SPONSORSHIP FOR BUSINESSES, RESIDENTS FOR A CLOSE PROXIMITY OFFICE FOR THEIR USE OR INFORMATIONAL PURPOSES
- 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.  
NO-INTERIOR OFFICE SPACE OPERATED DURING SAME BANKING HOURS AS ANCHOR TENANT
- 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.  
NO
- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.  
Yes
- 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.  
IN PLACE
- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.  
NOT CONTRARY, MINIMUM TRAFFIC IMPACT, while connecting home owners-Burr Ridge Residential to local communities, encourage REAL ESTATE VALUE to appreciate promoting the Village
- 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.  
CURRENT SPACE IS OFFICE WILL CONTINUE AS OFFICE

## **101 BRP, LLC**

January 15, 2024

**RE: Smith Partners & Associates d/b/a Re/Max Properties**

To Whom It May Concern:

101 BRP, LLC, is the owner of the property located at 101 Burr Ridge Parkway. We have entered into lease negotiations with Coya Smith of Smith Partners & Associates d/b/a Re/Max Properties, for Suite 150 in our building.

We support Coya Smith's application for Special Use of a Real Estate Brokerage office within the building and also her desire for window signage of the Re/Max Properties logo.

Any questions can be directed to our listing agent, Theresa Shulz of Schulz Properties, via E-Mail at [tschulz@schulzproperties.com](mailto:tschulz@schulzproperties.com) or via telephone at (630) 737-1200.

Thank you,



Manager  
101 BRP, LLC



# RE/MAX

## Properties





## **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, February 19, 2024, 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 Coya Smith of RE/MAX Properties for a special use a real estate office in a B-2 General Business zoned district in accordance with Zoning Ordinance VIII.C.2.al. The petition number and address of this petition is **Z-01-2024: 101 Burr Ridge Parkway Unit 150** and the Permanent Real Estate Index Number is **18-30-304-004-0000.**

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, February 13, 2024. All public comment may be emailed to Planner Ella Stern ([estern@burr-ridge.gov](mailto: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.**

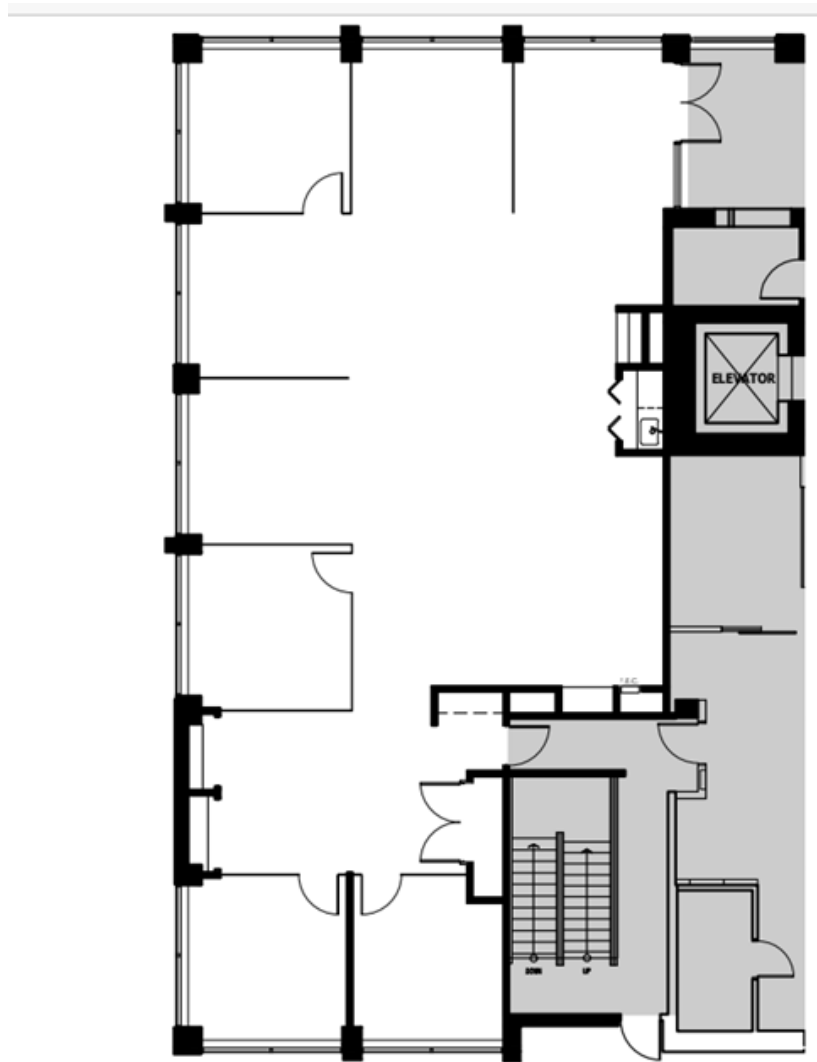
**Greg Trzupek, Chairman**

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



*The site is outlined in red*

[www.burr-ridge.gov](http://www.burr-ridge.gov)  
630.654.8181



### **Suite #150 - As-Built Conditions**

2,700 Rentable Square Feet

*Existing site plan.*

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 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*



KUKUC, FRANK & MARGARET  
7603 S DREW AVE  
BURR RIDGE, IL 60521

SUNIL SURI  
103 AMBRIANCE DRIVE  
BURR RIDGE, IL 60527

ANDREW J MOORMANN  
50 BURR RIDGE PKWY  
BURR RIDGE, IL 60527

KUKUC, STANLEY & IRENE  
7615 S DREW AVE  
BURR RIDGE, IL 60527

PARRIS SZOT  
301 AMBRIANCE DR  
BURR RIDGE, IL 60527

101 BRP LLC  
20 DANADA SQ W #274  
WHEATON, IL 60189

KRAMPITS, GEORGE & ANN  
7515 S DREW AVE  
BURR RIDGE, IL 60521

MAGDALENA KOLOSA  
303 AMBRIANCE DR  
BURR RIDGE, IL 60527

OPUS NORTH MGMT CORP  
701 VILLAGE CENTER DR  
BURR RIDGE, IL 60527

RATCHEV, IVAN & INA  
7511 DREW AVE  
BURR RIDGE, IL 60527

HOSPITALITY PROP TRUST  
255 WASHINGTON ST  
NEWTON, MA 2458

GYTIS ARANAUSKAS  
402 AMBRIANCE DR  
BURR RIDGE, IL 60527

NABEEL JABRI  
204 AMBRIANCE DRIVE  
BURR RIDGE, IL 60527

INTER CONTL BURR RIDGE  
108 BURR RIDGE RD  
ESSEX, IL

PAULIUS, ANDRIUS  
1815 W IOWA ST  
CHICAGO, IL 60622

EDWARD T PRODEHL  
104 AMBRIANCE CT  
BURR RIDGE, IL 60527

CHRISTIAN BROTHER MIDWEST  
7650 S COUNTY LINE RD  
BURR RIDGE, IL 60527

LIFE TIME FITNESS 130  
2902 CORPORATE PLACE  
CHANHASSEN, MN 55317

NILUFAR KABIR  
304 AMBRAINCE DR  
BURR RIDGE, IL 60527

ALLEN, RUSSELL  
7519 DREW AVE  
BURR RIDGE, IL 60521

ONE EQUITY PLACE LLC  
7420 S COUNTY LINE RD  
BURR RIDGE, IL 60527

PABIJANSKI, HENRYK  
7626 DREW AVE  
BURR RIDGE, IL 60521

KORFIST, CHRISTIAN  
7611 DREW AVE  
BURR RIDGE, IL 60527

SPENCER LEE & MI Y WON  
205 AMBRIANCE  
BURR RIDGE, IL 60527

RIVERA, RUDOLPH & L TR  
7607 DREW AVE  
BURR RIDGE, IL 60527

REEGS PROPERTIES  
PO BOX 639  
HINSDALE, IL 60522

MOINNUDDIN, ABID & S  
7623 S DREW  
BURR RIDGE, IL 60521

TCF BANK  
1405 XENIUM LN PCC00PD  
PLYMOUTH, MN 55441

MONA GHOBRIAL & SONIA  
450 VILLAGE CENTER DR3  
BURR RIDGE, IL 60527

SPIRIT MASTER FUNDING  
2727 N HARWOOD ST#300  
DALLAS, TX 75201

R & N KAPOOR TR KNR TR  
302 AMBRIANCE DR  
BURR RIDGE, IL 60527

MPG RIC BURR RIDGE LLC  
71 S WACKER DRIVE APT. 3725  
CHICAGO, IL 60606

SCHAUER, CYNTHIA  
120 W 75TH ST  
BURR RIDGE, IL 60527

ATHIHALLI NAGARAJ  
102 AMBRIANCE DR  
BURR RIDGE, IL 60527

GIADLA HOLDINGS LLC  
7702 CASS AVE APT. 220  
DARIEN, IL 60561

PATRICIA FORKAN  
305 AMBRIANCE DR  
BURR RIDGE, IL 60527

ANNE E MICALETTI TRUST  
203 AMBRIANCE DR  
BURR RIDGE, IL 60527

BRVC OWNER LLC  
PO BOX 1243  
NORTHBROOK, IL 60065

VILLAGE OF BURR RIDGE  
7660 S COUNTY LINE RD  
BURR RIDGE, IL 60521

KONDA REALTY LLC  
10 ORCHARD APT. 200  
LAKE FOREST, CA 92630

CERVANTES, LAURA  
7619 DREW AVE  
BURR RIDGE, IL 60527

AMBRIANCE TRUST  
1 AMBRIANCE DR  
BURR RIDGE, IL 60527


MOHRE LLC  
1 CLUBSIDE CT  
BURR RIDGE, IL 60527

MPS LORIA DVLPMT LLC  
7500 S COUNTY LINE RD  
BURR RIDGE, IL 60527

DR GHASSAN ABOUD  
206 AMBRIANCE DR  
BURR RIDGE, IL 60527



Jan 30, 2024 at 8:54:21 AM  
101 Burr Ridge Pkwy  
Burr Ridge IL 60527  
United States

 **NOTICE**  
Village of Burr Ridge

There will be a public hearing to  
consider zoning changes or approvals  
for this property.

For further information,  
please call or visit:

Burr Ridge Village Hall  
7660 County Line Road  
(630)654-8181, Extension

Ask for Information 7-01-2024 018

Further details are available at:  
[www.burr-ridge.gov](http://www.burr-ridge.gov)  
(see Public Hearing/Plan  
Commission Agenda)





Jan 30, 2024 at 8:57:57 AM  
101 Burr Ridge Pkwy  
Burr Ridge IL 60527  
United States



Village of Burr Ridge

## NOTICE

There will be a public hearing to consider zoning changes or approvals for this property.

For further information, please call or visit:

Burr Ridge Village Hall  
7660 County Line Road  
(630)654-8181, Extension

Ask for Information

7-01-2024

23

Further details are available at:

[www.burr-ridge.gov](http://www.burr-ridge.gov)

(see Public Hearing/Plan Commission Agenda)





**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:

101 Burr Ridge Pkwy #150

Property Owner or Petitioner:

Coya J. Smith  
(Print Name)  
Coya J. Smith  
(Signature)



**Z-15-2023: Request to consider a text amendment to Section IV.I for the regulations pertaining to architectural entrance structures and driveway gates in residential districts.**

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

**Petitioner:** Village of Burr Ridge

**Prepared by:** Ella Stern, Planner

**Date of Hearing:** December 4, 2023, February 5, & February 19, 2024

On November 13, 2023, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments pertaining to architectural entrance structures and driveway gates. The direction from the Board focused on residents within the residential districts and to consider the permitted size of a parcel for a driveway gate. Depending on whether the Plan Commission wishes to amend the driveway gate regulations, the regulations for architectural entrance structures may also need to be amended so there is no conflict. Architectural entrance structures are often constructed in conjunction with the gate.

On December 4, 2023, the Plan Commission held a public hearing on Z-15-2023, a request to consider a text amendment to Section IV. I for the regulations pertaining to architectural entrance structures and driveway gates in residential districts. The Plan Commission continued the case and directed staff to research the estimated number of homes between one and two acres, traffic speed limits, and traffic volume throughout the Village of Burr Ridge. On February 5, 2024, the Plan Commission continued the case and directed staff to prepare draft language.

Staff found the following information regarding traffic speed limits, the annual average daily traffic volume, and the number of Single-Family Residential properties by acreage.

**Speed Limits:**

Twenty-five (25) miles per hour on the following streets:

- Aintree Lane, Arrowhead Farm Drive, Ashton Drive, Briarwood Court, Briarwood Lane, Bridewell Dr. (Burr Ridge Parkway. to Central Avenue), Brighton Place, Burr Oak Lane, Burr Ridge Parkway Carriage Way Drive, Chasemoor Drive (Lincolnshire Drive to 79th Street) Chestnut Hills Circle, Chestnut Hills Drive, Chippewa Court, Circle Ridge Drive, Commerce Street, County Line Lane Deer Path Trail, Devon Drive, Dougshire Court, Drew Avenue, from 75th St. to 79th St., Enclave Drive, Forest Hill Road, Garfield Avenue (72nd Street to 74th Street), Garywood Drive, Glenmora Lane, Glenn Drive Grant Street, between 59th Street and Wildwood Lane, Grant Street, between the 62nd Street right-of-way and 63rd Street, Grant Street, 87th Street south to the end of the cul-de-sac, Greenbriar Court, Gregford Road Hamilton Avenue (72nd Street to Frontage Road) Hamilton Avenue, from 75th Street to 79th Street), Hampton Court, High Grove Boulevard, International Street, Johnston Road, Lake Ridge Court Lake Ridge Drive (81st Street to 83rd Street), Laurie Lane Manor Drive, Navajo Court, Omaha Drive, Park

Avenue (72nd Street to Frontage Road) Post Road Ridgewood Lane, Royal Drive, St. James Court, Seneca Court, Shag Bark Court, Shag Bark Lane, Shenandoah Drive, Shepard Lane South Drive, Stirrup Lane, Surrey Lane, Tomlin Circle, Tomlin Drive, Walnut Circle, Wedgewood Drive, 87th Street south to Glenmora Lane, White Oak Court, Wildwood Lane, Woodcreek Drive Woodglen Lane, Woodland Court, Woodland Lane, Woodside Court, Woodside Lane, Woodview Drive, 59th Street, from Garfield Avenue to the western Village limits (a point approximately 625 feet east of Madison Street), 63rd Street, between Garfield Avenue and Grant Street, 72nd Street (Wolf Road to Central Avenue), 73rd Street (Elm Street to Garfield Avenue), 74th Street (Park Avenue to Garfield Avenue), 75th Street, between its intersections with South Frontage Road, 77th Street, from County Line Road to Hamilton Avenue, 81st Street (Madison Street to Ridge pointe Drive), 94th Street (Glenn Drive to Madison Street).

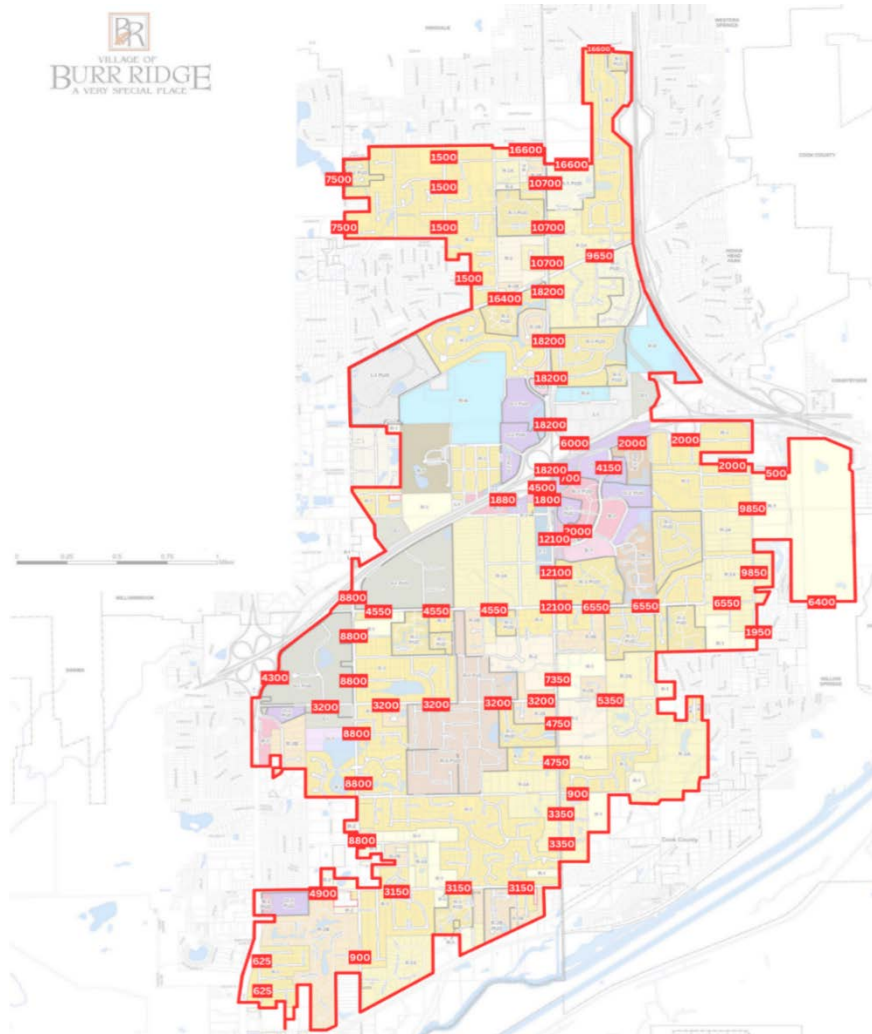
Twenty (20) miles per hour on the following streets:

- Elm Street (72nd Street to Frontage Road), Giddings Avenue (72nd Street to Frontage Road), 72nd Street (Elm Street to Garfield Avenue).

Thirty-five (35) miles per hour on the following streets:

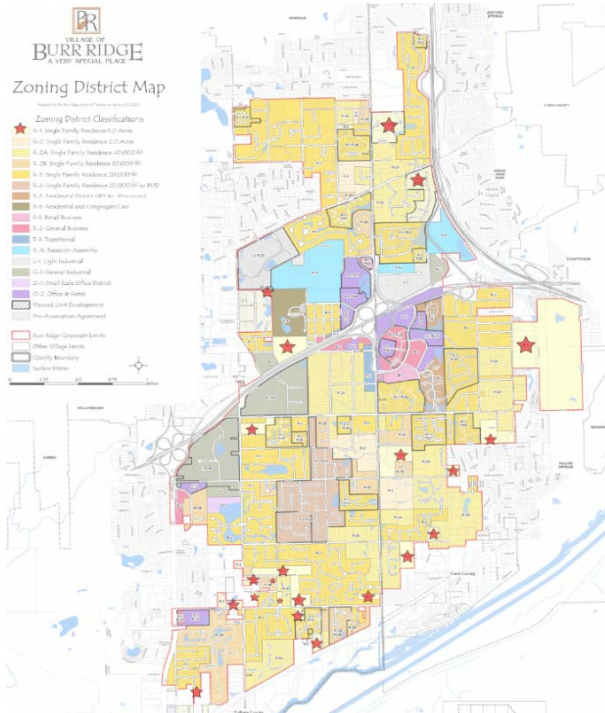
- North Frontage Road (Veterans Boulevard to Elm Street), South Frontage Road (Route 83/Kingery Highway to County Line Road).

### Traffic Volume:

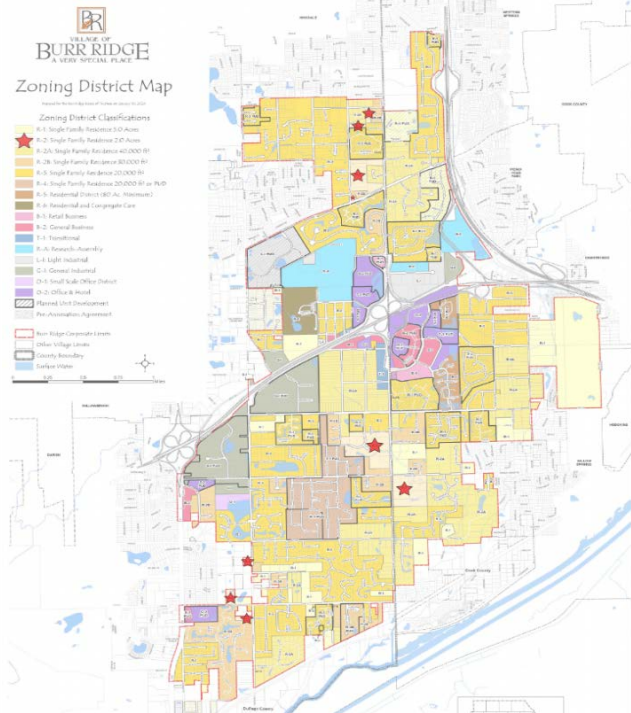


*The annual average daily traffic volume is noted in red.*

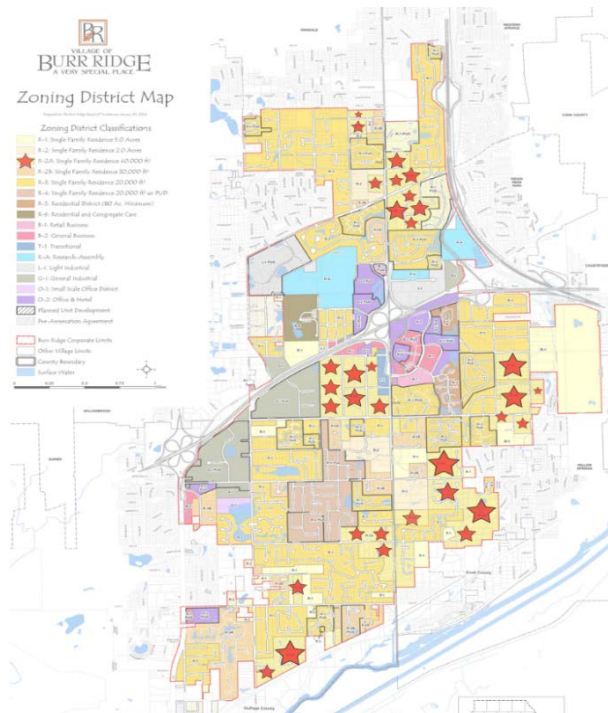
Staff found approximately 50 properties zoned R-1 Single-Family Residence (5 acres). The R-1 Single-Family Residence zoned properties include the Trinity Lutheran Church, 15W460 N Frontage Road, Gower Middle School, Burr Ridge Middle School, Burr Ridge Public Works, Walker Park Subdivision, King Bruwaert Home Subdivision, and Heatherfields Subdivision, in which the properties were smaller than 5 acres, or non-residential uses. Staff found approximately 42 properties zoned R-2 Single-Family Residence (2 acres), including the Tri-State Fire District, Burr Ridge United Church, and Stonehedge Estates. Staff found approximately 300 properties zoned R-2A Single-Family Residence (40,000 sq ft.).



2024 Zoning Map noting R-1 zoned properties.



2024 Zoning Map noting R-2 zoned properties.



2024 Zoning Map noting R-2A zoned properties.



The Village of Burr Ridge has amended the driveway gate regulations a few times based on a single petitioner proposing a driveway gate for their property. In 2007, driveway gate regulations were added to the Zoning Ordinance. A driveway gate was permitted on parcels that are a minimum of 5 acres in area and 220 feet in width and subject to the following terms and conditions:

1. Driveway gates are permitted in the required front yard but not closer to the front lot line than 30 feet.
2. Only one driveway gate is permitted per lot.
3. 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.
4. The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron or similar materials.
5. 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.

In 2008, driveway gate regulations were amended due to a single petitioner's request. A driveway gate was permitted on parcels with a minimum of 2 acres in area and has a front or corner side lot line with a minimum of 220 feet of street frontage. In 2011, driveway gate regulations were amended to change the minimum 220 feet of street frontage to 150 feet of street frontage.

Under current Zoning Ordinance regulations, Driveway 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 (Amended by Ordinance A-834-13-11). All driveway gates must comply with the following terms and conditions:

1. 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).
2. One gate per driveway is permitted.
3. 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.
4. The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron, or similar materials.
5. 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)

Under current Zoning Ordinance regulations, architectural entrance structures are permitted on a lot not less than 40,000 square feet in area, are permitted in a front, side or rear buildable area and are also permitted in the required front yard. It is important to note that architectural entrance structures are not permitted in a corner side yard although many homes have a driveway in this location. Architectural entrance features must comply with the following terms and conditions:

1. Architectural entrance structures shall be located adjacent to driveways and the number of structures shall not exceed two per driveway; one on each side of the driveway.
2. Each architectural entrance structure 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 structure. A light fixture may be added above the six-foot height limit not exceeding 18 inches.
3. The footprint of an architectural entrance structure shall not exceed three feet by three feet except that wing walls not exceeding four feet in height and three feet in length shall be permitted.
4. The primary materials for architectural entrance structures are limited to masonry brick, natural stone, or similar materials.
5. Architectural entrance structures are subject to the issuance of a permit and must be provided with a foundation and structural elements as required by the Village building codes.
6. Architectural entrance features at an entrance to a subdivision are permitted as regulated by the Village of Burr Ridge Subdivision Ordinance.

Any new regulations pertaining to driveway gates and architectural entrance structures may be included in Zoning Ordinance sections IV.I.5 and IV.I.12, depending on the Plan Commission's direction.

***Neighboring Municipality Research:***

Staff researched neighboring municipalities to check their regulations for driveway gates. Of the seven municipalities surveyed, only one municipality had regulations on the required acreage for a driveway gate.

<b>Municipality</b>	<b>Regulation</b>
Darien	The city code does not contain specific regulations on driveway gates or any architectural requirements.
Hinsdale	Driveway entry gates, and any parapet or column utilized in a fence design: Eight feet (8').
Indian Head Park	Fences and gates are not allowed in Indian Head Park.
Oakbrook Terrace	No more than one ornamental entry gate shall be permitted on each side of an entrance from a street frontage, not exceeding eight feet in height, and such gates shall be set back not less than five feet from the front lot line, street pavement and driveway. Such gates shall be subject to the approval of the City Engineer and shall be certified by a structural engineer
Oakbrook	Driveway gates are permitted as accessory structures in required front yards, or side yards adjoining a street; provided that they conform with the following criteria: A. Required Acreage: No driveway gate may be installed on a lot of less than two (2) acres, unless the front yard of said lot abuts a thoroughfare. B. Any driveway gate previously approved and constructed in accordance with applicable law at that time shall be treated as a permitted and legally conforming use. Direction Of Swing: Driveway gates shall not swing outward from the property. C. Width: The minimum width for a gate structure shall be twelve feet (12') for opening the gate. All driveway gates shall be greater than fifty percent (50%)

	<p>open in design when viewed from a ninety-degree (90°) angle, except that this required open space in louver type gates may be viewed from any angle and excluding metal gates with more than seventy five percent (75%) of its surface area open space.</p> <p>D. Location Of Gates: Gates shall be located a minimum distance of twenty feet (20') from the nearest edge of pavement on local residential streets and thirty feet (30') from the nearest edge of pavement on all other streets including all thoroughfares and collectors (reference the Oak Brook transportation plan phase II report dated January 1971), to allow adequate room for vehicular access to the property. (Ord. G-678, 6-26-2001; Ord. G-741, 2-10-2004)</p>
Willowbrook	<p>The Village of Willowbrook has no specific regulations regarding driveway gates. However, they would follow the UDO for fences in the front yard of properties. Fences on Lots with Single-Family Detached and Duplex Uses. Fences on lots with single-family detached and duplex uses shall meet the requirements established below. Barbed wire, razor wire, or makeshift materials such as plywood or tarps shall be prohibited on lots with single-family detached and duplex uses. All fences shall be erected so that the posts and all other supporting members face inward toward the owner's property.</p> <p>Fences in Front Yards.</p> <p>(a) Height. Fences in front yards shall not exceed four (4) feet in height.</p> <p>(b) Setback. Fences in front yards shall be set back a minimum of seven (7) feet from the property line.</p> <p>(c) Materials.</p> <p>(1) Fences in front yards shall be of non-sight barrier construction and have a maximum opacity of fifty (50) percent.</p> <p>(2) Fence materials utilized in front yards shall complement fence materials utilized in other yards.</p> <p>(3) Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:</p> <p>(i) Wood, chemically treated or naturally resistant to decay,</p> <p>(ii) Wood Composites,</p> <p>(iii) Aluminum,</p> <p>(iv) Vinyl/PVC,</p> <p>(v) Wrought Iron,</p> <p>(vi) As approved by the Village Administrator or their designee.</p>
Willow Springs	No gates are permitted in the front yard.

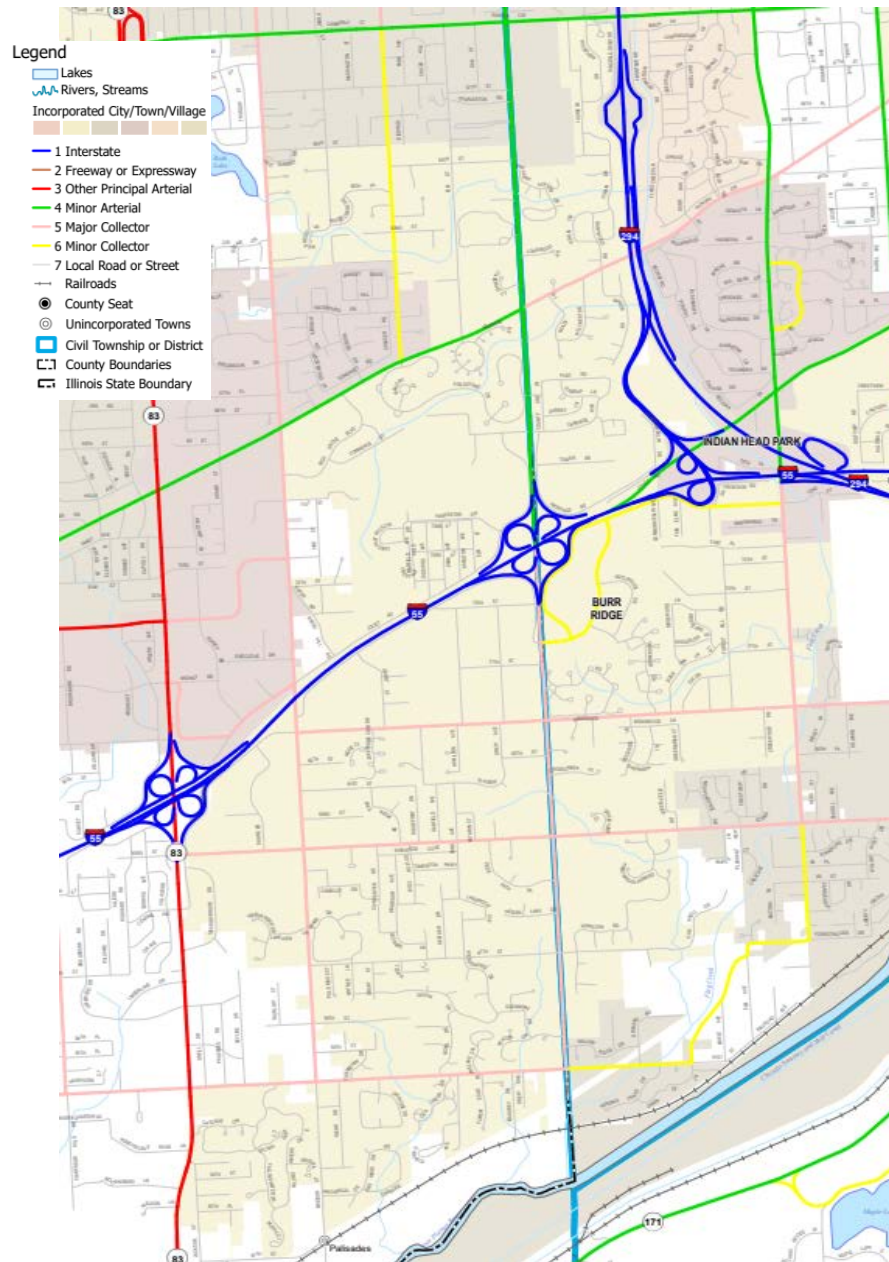
### Definition of arterial roadways in the Comprehensive Plan:

The Burr Ridge street system consists of highways, arterials, collectors, and local roads. The IDOT classification of these roads is shown in a map following these descriptions.

- **Highways** carry large volumes of traffic between Burr Ridge and other parts of the region. I-55 and I-294 are classified as highways.
- **Arterials** carry traffic across and beyond the Village and generally include Route 83, County Line Road, Plainfield Road, 55th Street and Wolf Road.
- **Collectors** provide circulation between arterials and local roads. Burr Ridge collectors include Burr Ridge Parkway, Madison Street, Garfield Avenue, 91st Street, German Church Road, and 79th Street. As per Ordinance A-869-02-05, the street system classifications are hereby amended to designate North Frontage Road between County Line

Road and Madison Street, South Frontage Road between County Line Road and Illinois Highway 83, and Bridewell Drive/72nd Street as collector streets.

- **Local** streets provide access to neighborhoods and individual properties. They comprise the remainder of the roadway system in the Village.



Link to IDOT Map: [Chicago Ua\)-Downers Grove Twp \(illinois.gov\)](https://www.idot.gov/ChicagoUa-DownersGroveTwp)

### Proposed Language:

Staff provided proposed language on the following page, changing the section pertaining to the required acreage and location on arterial roads, based upon the Commission's direction at the February 5, 2024 meeting.

*Driveway Gates (Residence Districts)*

*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. No driveway gate shall be installed on a lot of less than 2 acres in area, unless the front or corner side yard of said lot abuts an arterial street as classified by IDOT and the driveway of said lot directly accesses an arterial street. (Amended by Ordinance A-834-13-11).*

*All driveway gates must comply with the following terms and conditions:*

- 1. 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).*
- 2. One gate per driveway is permitted.*
- 3. 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.*
- 4. The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron, or similar materials.*
- 5. 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)*

**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 – IDOT Map



# VILLAGE OF BURR RIDGE

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

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

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

STATUS OF PETITIONER: Village of Burr Ridge/municipality

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

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630) 654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

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

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

#### DESCRIPTION OF REQUEST:

Request to amend the architectural entrance structure and driveway gate regulations in section IV.I of the  
Zoning Ordinance.

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

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

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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

Janine Farrell  
Petitioner's Signature

11/14/2023  
Date of Filing



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

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

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

Section IV of the Zoning Ordinance details the regulations for architectural entrance structures and driveway gates in residential districts. Architectural entrance structures are permitted only on properties that are a minimum of 40,000 sq. ft. and driveway gates on properties a minimum of 2-acres.

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

The Zoning Ordinance currently contains regulations for driveway gates and architectural entrance structures. This section of the code has been modified over the years to permit gates on smaller parcels, from 10 acres to 5 acres to now 2 acres. The architectural entrance structure provisions would need to be updated to ensure there is no conflict with the gate regulations in terms of minimum lot size, setbacks, or location.

(Please transcribe or attach additional pages as necessary)



## **ZONING ORDINANCE LANGUAGE FOR ARCHITECTURAL ENTRANCE STRUCTURES AND DRIVEWAY GATES - SECTION IV.I**

### **Architectural Entrance Structures**

Architectural entrance structures, on a lot not less than 40,000 square feet in area, are permitted in a front, side or rear buildable area and are also permitted in the required front yard. Architectural entrance features must comply with the following terms and conditions:

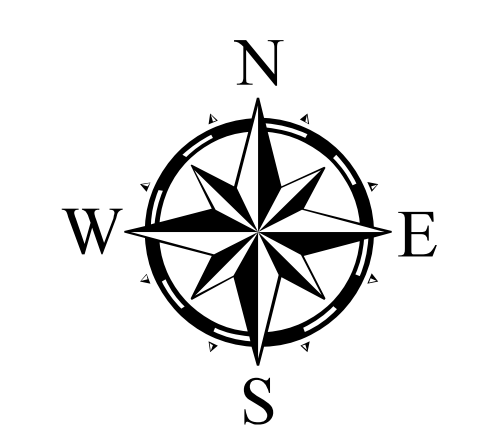
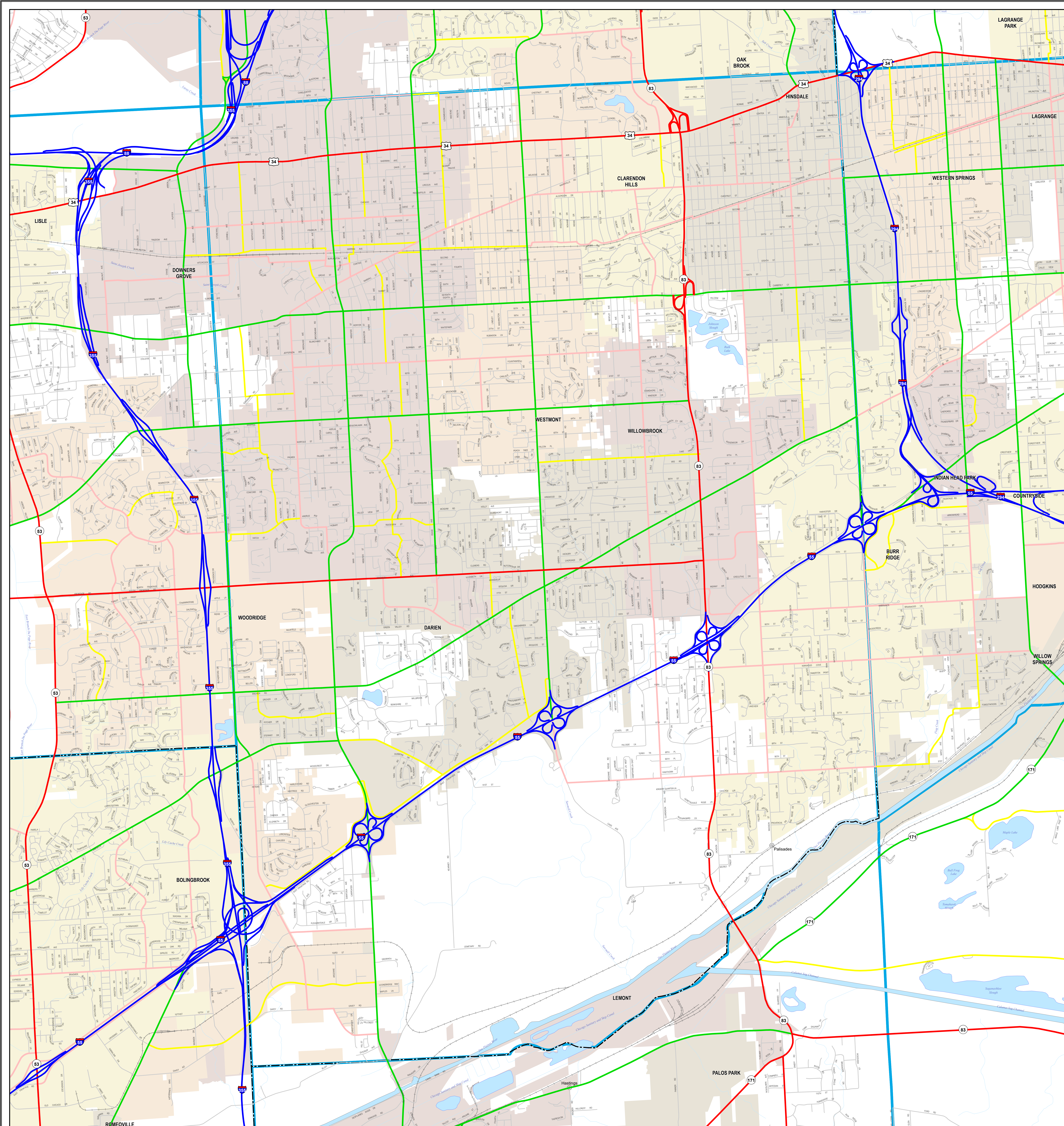
1. Architectural entrance structures shall be located adjacent to driveways and the number of structures shall not exceed two per driveway; one on each side of the driveway.
2. Each architectural entrance structure may not exceed six feet in height measured from the ground level at the lowest grade level within five feet of either side of the structure. A light fixture may be added above the six foot height limit not exceeding 18 inches.
3. The foot print of an architectural entrance structure shall not exceed three feet by three feet except that wing walls not exceeding four feet in height and three feet in length shall be permitted.
4. The primary materials for architectural entrance structures are limited to masonry brick, natural stone, or similar materials.
5. Architectural entrance structures are subject to the issuance of a permit and must be provided with a foundation and structural elements as required by the Village building codes.
6. Architectural entrance features at an entrance to a subdivision are permitted as regulated by the Village of Burr Ridge [Subdivision Ordinance](#).

### **Driveway Gates (Residence Districts)**

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 (Amended by Ordinance A-834-13-11). All driveway gates must comply with the following terms and conditions:

1. 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).
2. One gate per driveway is permitted.
3. 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.
4. The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron, or similar materials.
5. 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)

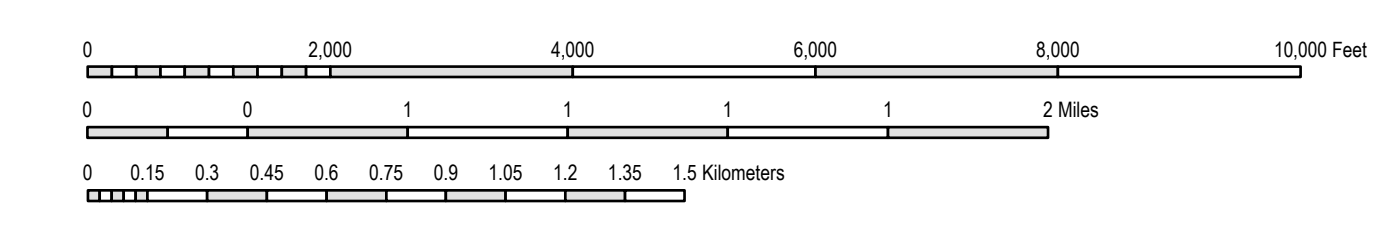




5-YEAR CLASSIFICATION MAP  
Chicago UA  
**DOWNERS GROVE TWP**  
DUPAGE COUNTY  
ILLINOIS

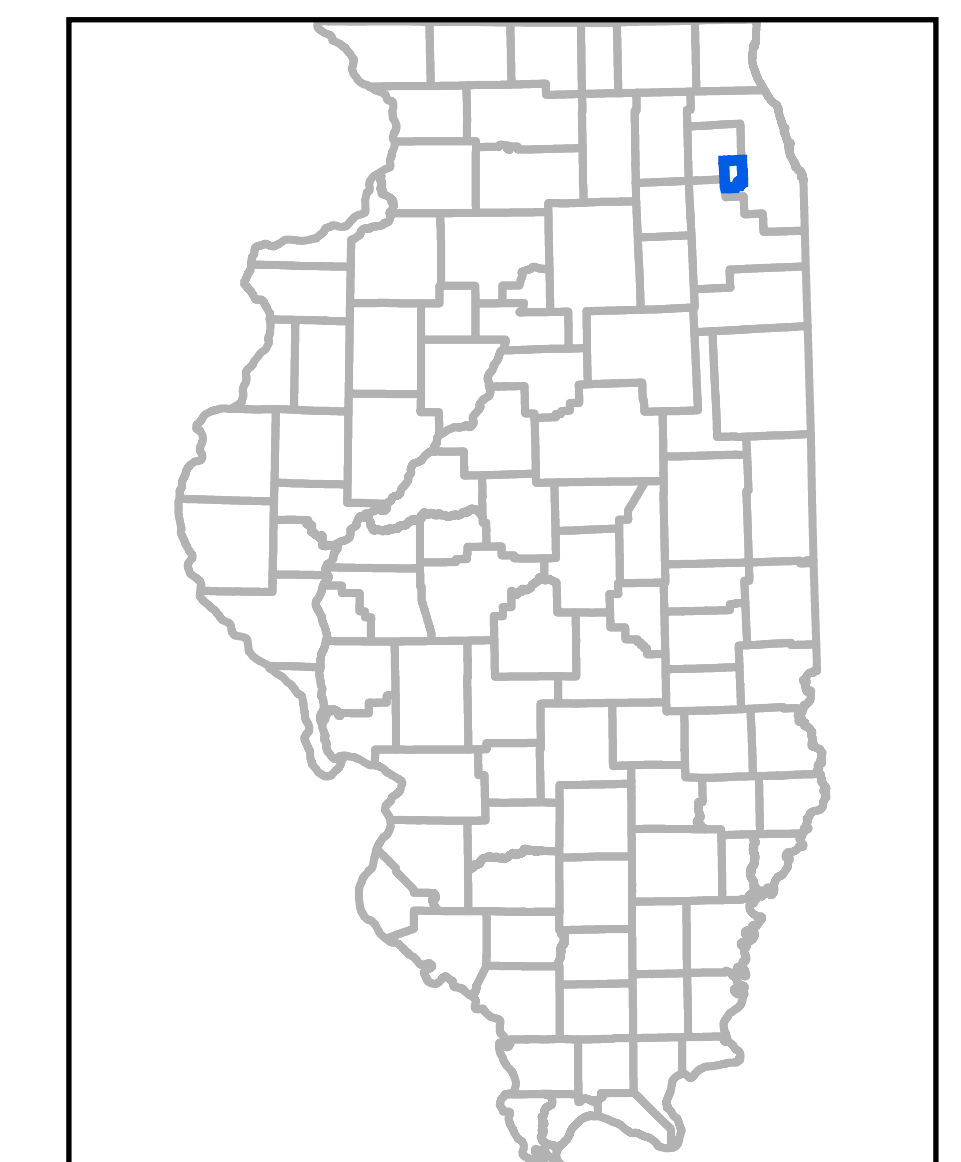
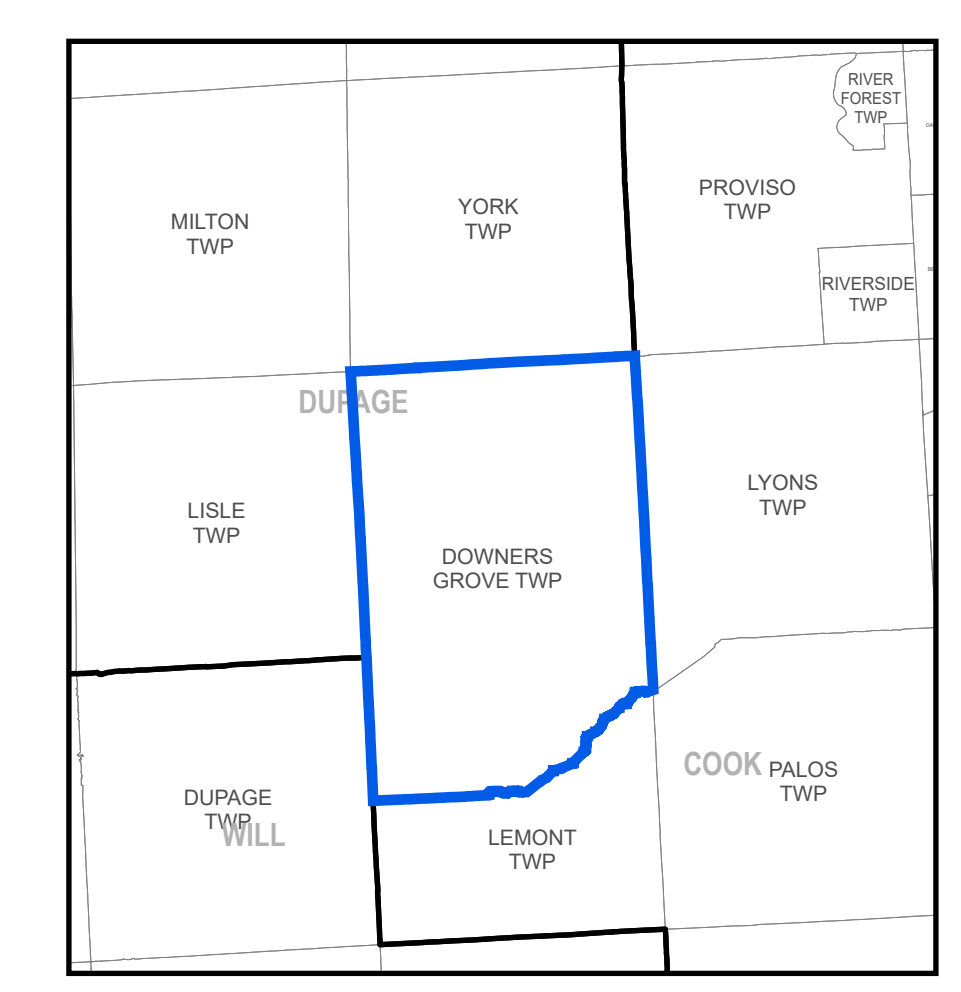
PREPARED BY THE  
ILLINOIS DEPARTMENT OF TRANSPORTATION  
OFFICE OF PLANNING AND PROGRAMMING  
IN COOPERATION WITH  
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

SCALE



Legend

- Lakes
- Rivers, Streams
- Incorporated City/Town/Village
- 1 Interstate
- 2 Freeway or Expressway
- 3 Other Principal Arterial
- 4 Minor Arterial
- 5 Major Collector
- 6 Minor Collector
- 7 Local Road or Street
- Railroads
- County Seat
- Unincorporated Towns
- Civil Township or District
- County Boundaries
- Illinois State Boundary



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Data Sources:  
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Illinois Department of Transportation  
Mapping & Information Systems





**Z-16-2023: Request to consider a text amendment to Section IV.J of the Zoning Ordinance for the regulations pertaining to fences in residential districts.**

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

**Petitioner:** Village of Burr Ridge

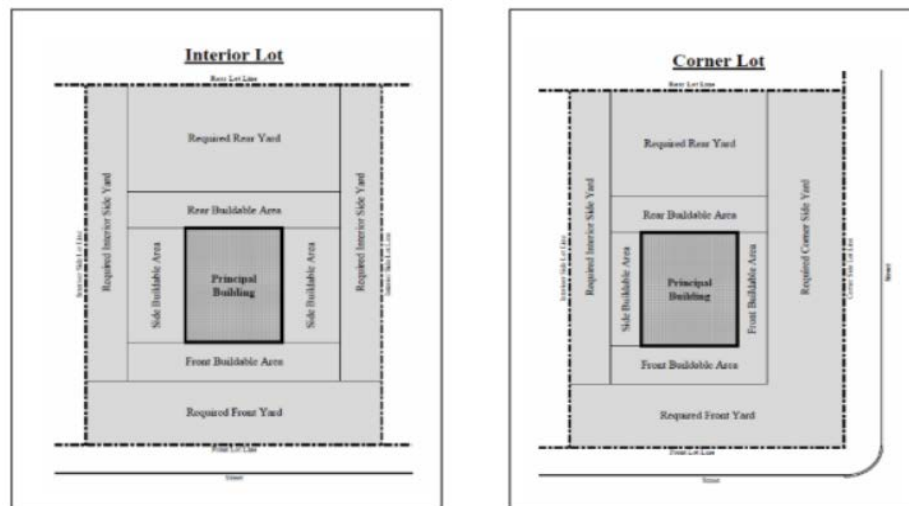
**Prepared by:** Ella Stern, Planner

**Date of Hearing:** December 4, 2023, February 5, & February 19, 2024

On November 13, 2023, the Board of Trustees directed the Plan Commission to hold a public hearing regarding fences in residential districts, specifically for corner lots and permitting fences in the practical rear yard of homes when the home faces the corner side yard.

On December 4, 2023, the Plan Commission held a public hearing on Z-16-2023, a request to consider a text amendment to Sections IV.J of the Zoning Ordinance for the regulations pertaining to fences in residential districts. The Plan Commission determined the research regarding architectural entrance structures and driveway gates (Z-15-2023) may benefit the discussion of fences in residential districts. On February 5, 2024 the Plan Commission continued the case and directed staff to prepare draft language.

**Figure IV.I Required Yards and Buildable Areas**



*Illustration from the Zoning Ordinance showing the required yards and buildable areas for interior and corner lots. The Zoning Ordinance defines a front yard or front lot line as the one with the shortest distance.*



*Using a vacant corner parcel in the Village, above are examples where the front of the home faces the corner side yard (left) and the front yard (right) and where a fence would be permitted under current regulations (yellow outline).*



*Using a vacant corner parcel in the Village, above is an example where the front of the home faces the corner side yard and where a fence could be permitted if in actual rear yard of the home.*

### **Current Regulations:**

Section IV.J of the Zoning Ordinance regulates fences as detailed below, with the specific passage highlighted yellow.

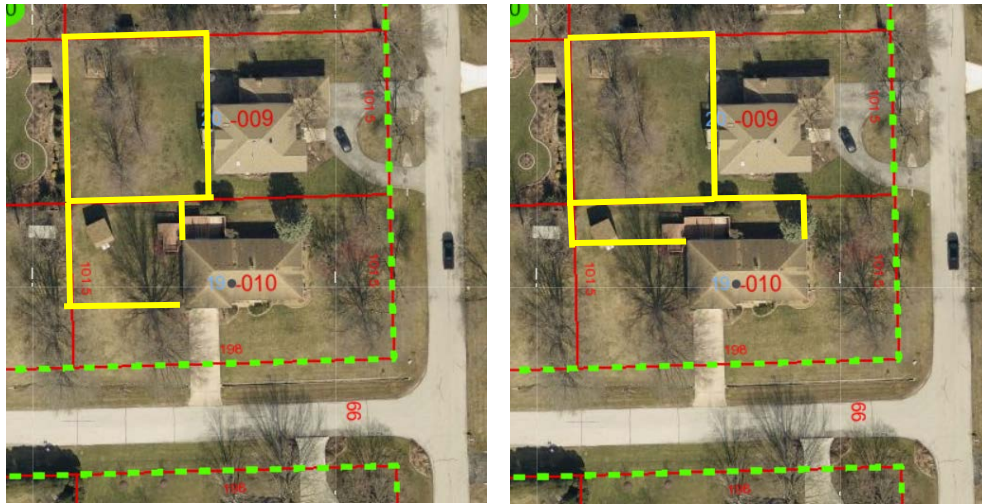
#### Fences, Open -- in residence districts only

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

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

### **Proposed Language:**

Based upon the discussion at the February 5<sup>th</sup> Plan Commission meeting, staff is providing the following diagrams illustrating a corner property and a neighboring interior lot. Before proposing draft language, staff is seeking direction from the Plan Commission on how to address situations where permitting a fence in the rear yard of a corner lot permits the fence to be located within the side yard of the adjacent home.



*Aerial images of a corner lot where the main entrance of the home faces the corner side yard and a neighboring interior lot. Left: Permitted fence locations for both properties under current regulations. Right: Permitted fence locations under the potential text amendment. The fence is in the rear yard of the home on the corner lot, but within the side yard of the interior lot.*

### **Findings of Fact**

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

### **Attachments**

- Exhibit A – Petitioner’s Materials
  - Application
  - Findings of Fact



# VILLAGE OF BURR RIDGE

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

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

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

STATUS OF PETITIONER: Village of Burr Ridge/municipality

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

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630) 654-8181 x. 6100

EMAIL: jfarrell@burr-ridge.gov

PROPERTY OWNER: N/A

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

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

#### DESCRIPTION OF REQUEST:

Request to amend the regulations for residential fences in section IV.J of the Zoning Ordinance.

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

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

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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

  
Petitioner's signature

11/14/2023  
Date of Filing





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

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

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

Section IV.J of the Zoning Ordinance details the regulations for fences in residential zoning districts. Fences are permitted behind the rear wall of the residence only. On a corner lot, a fence may be located in the corner side yard, but it must meet the minimum setback requirement for that zoning district. This regulation poses a challenge for corner properties where the front of the home faces the corner side yard, not the Zoning Ordinance defined front yard. In these instances, a fence is permitted only in a small corner of the property. This regulation could be clarified to allow for fences behind the rear wall of the residence regardless of what street the home faces, whether the front or the corner side yard.

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

The Zoning Ordinance currently contains regulations for fences in residential districts. Clarifying the location of where a fence could be permitted ensures that the fence is located in relation to the orientation of the home instead of the Zoning Ordinance definition of the front, rear, side, and corner side yards.

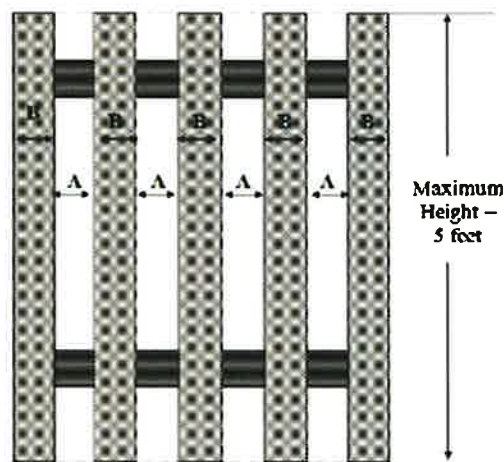
(Please transcribe or attach additional pages as necessary)

## ZONING ORDINANCE LANGUAGE FOR FENCES - SECTION IV.J

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

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

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



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

3. All fence posts and all supports must face the interior of the property on which it is located.
4. 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.
5. All fences in residential districts shall be open fences as defined by Section XIV and as depicted below (Amended by Ordinances A-834-09-01 and A-834-13-11). Open fences are defined as a fence, including gates, which has, for each one foot wide segment extending over the entire length and height of the fence, 50 percent of the surface area in open spaces which afford direct views through the fence.



## VILLAGE OF BURR RIDGE

### MEMORANDUM

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

**FROM:** Ella Stern, Planner

**DATE:** February 19, 2024

**RE:** Board Report

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The Board of Trustees took the following actions relative to matters forwarded from the Plan Commission on February 5, 2024.

- **Z-13-2023: 104 Burr Ridge Parkway (Garber/The Great American Bagel)**
  - The Board approved an Ordinance denying a special use amendment to Ordinance A-834-12-12 for an outdoor dining area awning pursuant to Section VIII.1.e of the Burr Ridge Zoning Ordinance and County Line Square PUD Ordinance A-834-19-21.
- **Z-17-2023: 16W020 79<sup>th</sup> Street (Lyons Truck Sales)**
  - The Board directed staff to approve an Ordinance approving a special use to permit the continued use of a non-conforming chain link fence on the subject property pursuant to Ordinance #A-834-01-19 and Sections IV.J & XII.F.3 of the Burr Ridge Zoning Ordinance. The recommendation was unchanged from the Plan Commission.
- **Z-18-2023: 411-421 Heathrow Court (Shipper/ARX Perimeters)**
  - The Board directed staff to approve an Ordinance approving special uses from sections IV.J & X.F of the Burr Ridge Zoning Ordinance to permit (1) equipment sales and rentals in accordance with Zoning Ordinance Section X.F.; (2) outside storage in accordance with Zoning Ordinance Section X.F.; and (3) a fence in a non-residential district in accordance with Zoning Ordinance Section IV.J. The recommendation was unchanged from the Plan Commission.
- **Z-19-2023: 8320-9850 Madison Street (Pedi/Overtime Sports LLC)**
  - The Board directed staff to approve an Ordinance approving a special use to permit an appointment-only exercise facility in a General Industrial zoned district in accordance with Zoning Ordinance Section X.F.2.E. The recommendation was unchanged from the Plan Commission.
- **Outdoor Dining Text Amendment**
  - The Board directed the Plan Commission to hold a public hearing to review outdoor dining regulations, specifically to permit outdoor dining year-round. This text amendment will be on the April 1<sup>st</sup> Plan Commission agenda.



02/14/2024

## Permits Applied for January 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JCA-24-024	01/25/2024	7075 Veterans Blvd.	TBD	Com Alteration
JCMSC-24-015	01/23/2024	312 Burr Ridge Pkwy	American Municipal Private Plumbing 1361 63rd Street La Grange Highlands IL 60525	Commercial Miscellaneous
JCPM-24-004	01/04/2024	7600 Grant St	Atomatic Mechanical 3733 N. Ventura Drive Arlington Heights IL 60004	Com Mechanical Permit
JDEK-24-005	01/05/2024	806 Ambriance	Village Carpentry 1065 Zygmunt Cir. Westmont IL 60559	Deck
JDEK-24-009	01/16/2024	8704 Johnston Rd	AE Luxury Builders 4610 Franklin Ave. Franklin Park IL 60131	Deck
JPAT-24-026	01/30/2024	62 Deer Path Trail	Bryan Zabala 1361 Washburn Way Lockport IL 60441	Patio
JPF-24-002	01/04/2024	7200 Wolf Rd	Suburban Fence P.O. Box 368 Lyons IL 60534	Fence Permit
JPF-24-008	01/11/2024	15W 627 89th St	C&N Construction 24 N Hillside Ave Hillside IL 60162	Fence Permit
JPPL-24-006	01/10/2024	7606 Hamilton Ave	Platinum Poolcare Aquatech, Ltd. 300 Industrial Ln. Wheeling IL 60090	Pool

02/14/2024

## Permits Applied for July 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAD-24-003	01/04/2024	7234 Central Ave	TBD	Residential Addition
JRAL-24-010	01/18/2024	ROWs DuPage Locations	ESPO Engineering 845 Midway Dr. Willowbrook IL 60527	Right-of-Way
JRAL-24-011	01/19/2024	140 Carriage Way DR Unit 221	Window Works 570 E. North Frontage Rd Shorewood IL 60404	Residential Alteration
JRAL-24-014	01/22/2024	8212 Windsor Ct	Everseal Basement 720 Terry Avenue Aurora IL 60506	Residential Alteration
JRAL-24-016	01/23/2024	ROWs DuPage Locations	ESPO Engineering 845 Midway Dr. Willowbrook IL 60527	Right-of-Way
JRAL-24-017	01/23/2024	ROWs Ck Cty Locations	RS Services Systems, Inc. 38 Forestwood Dr. Romeoville IL 60446	Right-of-Way
JRAL-24-018	01/23/2024	ROWs Ck Cty Locations	RS Services Systems, Inc. 38 Forestwood Dr. Romeoville IL 60446	Right-of-Way
JRAL-24-020	01/23/2024	11702 Shag Bark Ln	LaMantia Design & Remodeling 20 E. Ogden Av. Hinsdale IL 60521	Residential Alteration
JRAL-24-022	01/24/2024	ROWs Ck Cty Locations	Intren Trenching 18202 W Union Rd. Union IL 60180	Right-of-Way

02/14/2024

## Permits Applied for July 2022



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRES-24-007	01/11/2024	7128 Wolf Rd	Adam Woody 712 Cheyenne Ln. Elgin IL 60123	Residential Miscellaneous
JRES-24-012	01/22/2024	1 Ridge Farm Rd	TBD	Residential Miscellaneous
JRES-24-025	01/30/2024	62 Deer Path Trail	Bryan Zabala 1361 Washburn Way Lockport IL 60441	Residential Miscellaneous
JRPE-24-001	01/02/2024	6059 Madison St	Conglomerates Electrical Contracting, LLC 1720 Roosevelt Rd. Broadview IL 60155	Res Electrical Permit
JRPE-24-013	01/22/2024	6445 Hillcrest Dr	Nu-Trend Services Inc 1210 Remington Rd. Schaumburg IL 60173	Res Electrical Permit
JRPE-24-019	01/23/2024	11637 White Oak Ct	RJ Electric Service Co. 2021 Midwest Road Ste200 Oak Brook IL 60523	Res Electrical Permit
JRPE-24-021	01/24/2024	405 Ambriance	Pro Air Heating Cooling & Electrical 5117B Main Street Suite 16 Downers Grove IL 60515	Res Electrical Permit
JRPP-24-023	01/25/2024	415 Glenn DR	TR Miller Heating Cooling & Plumbing 11917 S. Aero Drive Plainfield IL 60585	Res Plumbing Permit

**TOTAL: 26**

02/14/2024

## Permits Issued January 2024



Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
American Municipal Private Plumt	JCMSC-24-015	01/25/2024	312 Burr Ridge Pkwy	Commercial Miscellaneous	12,250	
Village Carpentry	JDEK-24-005	01/16/2024	806 Ambriance	Deck	15,000	
Schiappa, James & Maria	JDS-23-448	01/09/2024	8391 County Line Rd	Demolition Structure	30,000	
Feroz Sheikh	JPAT-23-371	01/02/2024	118 Surrey Ln	Patio	8,200	
Andrew Avizius	JPF-23-285	01/24/2024	267 93rd Pl	Fence Permit	2,800	
Trayce Biancalana	JPF-23-458	01/05/2024	8564 Heather Dr	Fence Permit	1,200	
K Brothers Fence, Inc	JPF-23-461	01/24/2024	128 W 59th ST	Fence Permit	16,400	
Downes Pool Company	JPPL-23-363	01/15/2024	8737 Johnston Rd	Pool	275,000	
Alpine Ridge	JRAD-23-455	01/09/2024	11425 Ridgewood Ln	Residential Addition	200,000	
Bradford & Kent Builders	JRAL-23-442	01/25/2024	8490 Walredon Ave	Residential Alteration	140,000	775
ATI Construction, Inc.	JRAL-23-451	01/04/2024	460 81st St	Residential Alteration	125,000	
Everseal Basement	JRAL-24-014	01/24/2024	8212 Windsor Ct	Residential Alteration	19,440	
RS Services Systems, Inc.	JRAL-24-017	01/25/2024	ROWs Ck Cty Locations	Right-of-Way	2,902	
Tuff Shed	JRDB-23-456	01/02/2024	6120 Elm St	Residential Detached Building	2,831	
ABC PHCE	JRES-23-460	01/24/2024	107 Stirrup Ln	Residential Miscellaneous	25,254	
Francisco Vazquez	JRES-24-007	01/17/2024	7128 Wolf Rd	Residential Miscellaneous	1,200	
Kellenberger Electric Inc	JRPE-23-449	01/02/2024	701 Gregford Rd	Res Electrical Permit	1,200	
Conglomerates Electrical Contracti	JRPE-24-001	01/10/2024	6059 Madison St	Res Electrical Permit	6,893	
Fragment Architecture	JRSF-23-281	01/25/2024	5 Marisssa Ct	Residential New Single Family	1,500,000	5,761
<b>TOTAL:</b>	<b>19</b>					

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

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

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

## Occupancy Certificates Issued from 01/01/2024 - 01/31/2024

02/14/24

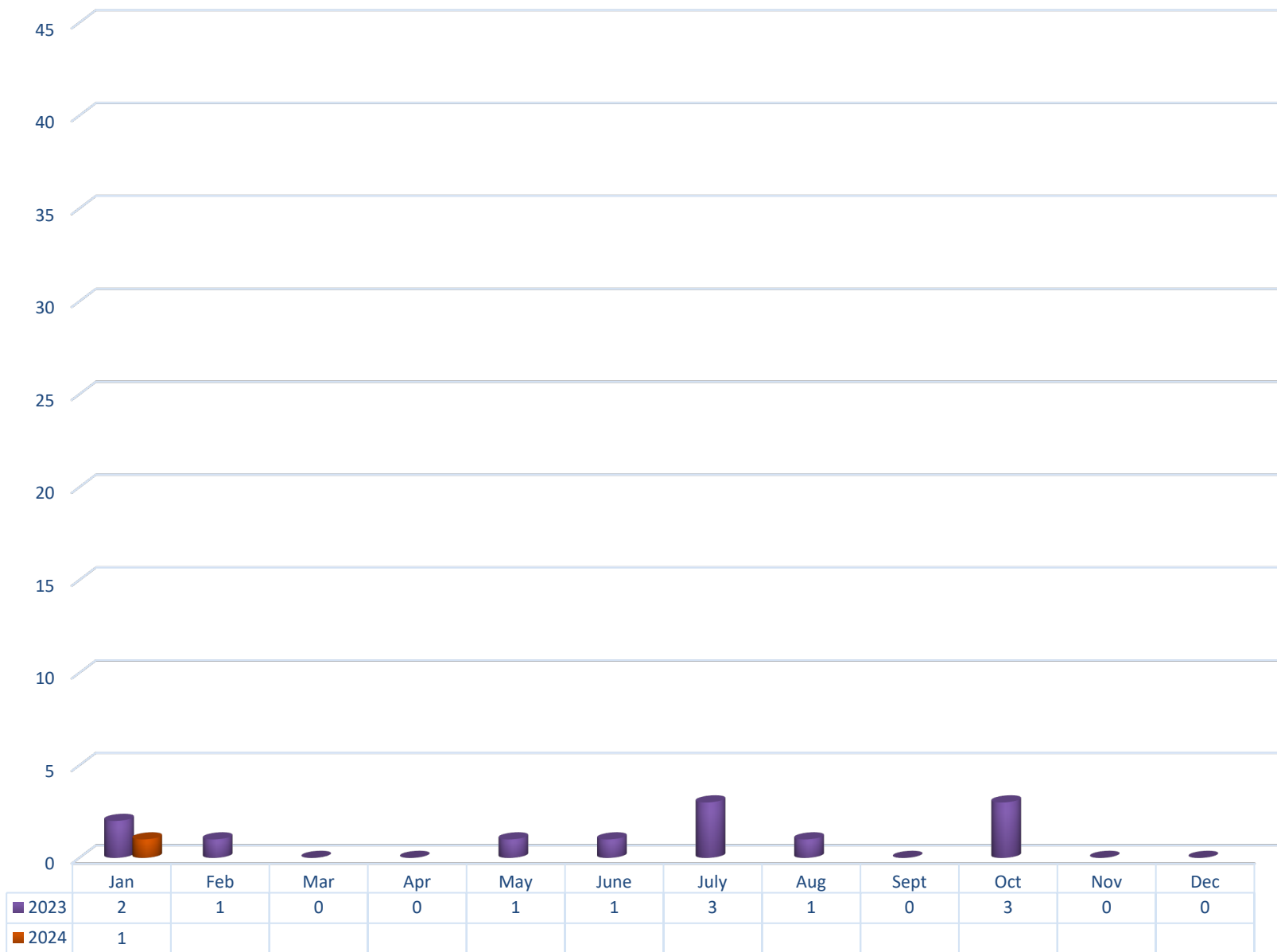
CO #	Certificate of Occupancy Date	Occupant of Record	Address
OF24001	01/09/24	King Bruwaert House	6101 County Line Rd

## CONSTRUCTION VALUE OF BUILDING PERMITS - MONTHLY SURVEY 2024

(Does not include miscellaneous Permits)

MONTH	SINGLE FAMILY RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (RES)	NON- RESIDENTIAL (NEW)	ADDITIONS ALTERATIONS (NON-RES)	TOTAL FOR MONTH
JANUARY	\$1,500,000	\$484,440			\$1,984,440
	[1]	[4]	[0]	[0]	
FEBRUARY					
	[]	[]	[]	[]	
MARCH					
	[]	[]	[]	[]	
APRIL					
	[]	[]	[]	[]	
MAY					
	[]	[]	[]	[]	
JUNE					
	[]	[]	[]	[]	
JULY					
	[]	[]	[]	[]	
AUGUST					
	[]	[]	[]	[]	
SEPTEMBER					
	[]	[]	[]	[]	
OCTOBER					
	[]	[]	[]	[]	
NOVEMBER					
	[]	[]	[]	[]	
DECEMBER					
	[]	[]	[]	[]	
2024 TOTAL	\$1,500,000	\$484,440	\$0	\$0	\$1,984,440
	[1]	[4]	[0]	[0]	

## Village of Burr Ridge New Housing Permits 2023 Compared to 2024







Z-05-2023	1400 Burr Ridge Parkway	PUD, Variations, Spec Use.	Requests for the development of townhomes	W/D	Deny	W/D	N/A
Requests to develop a parcel for a Planned Unit Development with five groupings of three attached homes.							
Z-06-2023	N/A	Text Amend.	Fences for pools	App	App	App	A-834-12-23
Text amendments to amend the fence regulations/language for swimming pools. The Plan Commission recommended approval of language to permit pools without fences; the Board upheld and approved the fence requirement.							
Z-07-2023	N/A	Text Amend.	Short Term Rentals	App	App	App	A-834-14-23
Text amendments to regulate short-term rental use.							
Z-08-2022	N/A	Text Amend.	Unrelated Persons	App	App	App	A-834-11-23
Text amendments to amend the definition of “Family”.							
Z-09-2023	6880 N. Frontage Rd.	Special Use Amendment	Day Care	App	App	App	A-834-08-23
Special use amendment for a childcare center to expand the use, increase the amount of children, and to expand the outdoor playground area.							
Z-10-2023	212 Burr Ridge Parkway	Special Use Amendment	Outdoor dining enclosure	In-prog.	In-prog.	In-prog.	In-prog.
Special use amendment regarding an outdoor dining enclosure at an existing restaurant.							
Z-11-2023	405-409 Heathrow Ct.	Special Use	Fences in a non-residential district	App	App	App	In-prog.
Special use 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.							
Z-12-2023	114 Burr Ridge Parkway	Special Use Amendment	Outdoor dining enclosure	In-prog.	In-prog.	In-prog.	In-prog.
Special use amendment regarding an outdoor dining enclosure at an existing restaurant.							
Z-13-2023	104 Burr Ridge Parkway	Special Use Amendment	Outdoor dining awning	Deny	App	In-prog.	In-prog.
Special use amendment regarding an outdoor dining awning at an existing restaurant.							

Z-14-2023	N/A	Text Amend.	Swimming Pool Equipment Pads	App	App	App	In-prog.
Request to increase the size of swimming pool equipment pads from 28 sq. ft. to 48 sq. ft.							
Z-15-2023	N/A	Text Amend.	Driveway Gates/Arc. Entrance Struct.	In-prog.	In-prog.	In-prog.	In-prog.
Request to amend the architectural entrance structure and driveway gate regulations.							
Z-16-2023	N/A	Text Amend.	Fences	In-prog.	In-prog.	In-prog.	In-prog.
Request to amend the regulations for residential fences, specifically for corner lots.							
Z-17-2023	16W020 79 <sup>th</sup> St.	Special Use	Non-conforming Fence	In-prog.	In-prog.	In-prog.	In-prog.
Request for a special use to permit the continued use of a non-conforming chain link fence on the subject property.							
Z-18-2023	411-421 Heathrow Ct.	Special Use	Equip sales/rental, Outdoor storage, fence	In-prog.	In-prog.	In-prog.	In-prog.
Request for special uses for (1) equipment sales and rentals. (2) outside storage, and (3) a fence in a non-residential district in accordance with Zoning Ordinance Section IV.J.							
Z-19-2023	8320-8350 S. Madison St.	Special Use	Exercise facility	In-prog.	In-prog.	In-prog.	In-prog.
Request for a special use to permit an appointment-only exercise facility in a General Industrial zoned district.							

Variations (V)							
Petition	Address	Type	Use	Result	Plan	Board	Ordinance #
V-01-2023	6301 S. County Line Rd.	Var.	Location, setback, height	App/Deny	App	App	A-834-15-23
Requesting for five variations: (1) to permit a deck in the front yard [approved]; (2) to permit a driveway gate on a parcel less than two acres in lot area; (3) to permit a driveway gate exceeding 6 ft. in height; (4) to permit a driveway gate within the minimum 30 ft. corner side yard setback; and (5) to permit a fence in the corner side yard setback							
V-02-2023	16W122 91 <sup>st</sup> St.	Var.	Location, setback, height, size	In-prog.	In-prog.	In-prog.	In-prog.
Requests for four (4) variations to permit (1) a driveway gate exceeding 6' in height, measuring 9'11" in height; (2) a driveway gate within the minimum 30' front yard setback, located at a 4' setback; (3) light fixtures on architectural entrance structures exceeding the 18" maximum height, measuring 29"; and (4) wing walls of architectural entrance structures exceeding 4' in height and 3' in length.							
V-03-2023	7703 Hamilton Ave.	Var.	Setback	App	App	App	A-834-13-23
Request for a variation to permit a corner side yard setback of 30 ft. instead of the minimum 40 ft. required for a new single-family residence.							
V-04-2023	106 Kraml Dr.	Var.	FAR	In-prog.	In-prog.	In-prog.	In-prog.
Request to increase the Floor Area Ratio (FAR) for a single-family home. <i>Since the application was received in July 2023, no additional information was provided to schedule the case for a public hearing.</i>							
V-05-2023	724 Tomlin Dr.	Var.	Location	App	App	App	A-834-16-23
Request for a variation to permit a fence in the front yard of a single-family residence.							
V-06-2023	8891 S. Madison St.	Var.	Location	W/D	W/D	W/D	N/A
Request for a variation to permit a fence in the front yard of a single-family residence.							
V-07-2023	6816 Fieldstone Dr.	Var.	FAR	Deny	Deny	Deny	In-prog.
Request to increase the Floor Area Ratio (FAR) for a single-family home.							
V-08-2022	11680 German Church Rd.	Var.	Location, height	App	App	App	A-834-17-23

Request for a variation to permit a fence and gate at the Village Pump Center.

Plan Commission misc. (PC)							
Petition	Address	Type	Use	Result	Plan	Board	Ordinance #
PC-01-2023	10S630 Garfield Ave.	1.5-mile	Variation	Comments sent		N/A	N/A
DuPage County variation request for lot width in order to divide a 4.99-acre property into two lots.							
PC-02-2023	N/A	Zoning	Zoning Review	N/A	N/A	N/A	N/A
The Village of Burr Ridge annual Zoning review.							
PC-03-2023	10S321 Madison St.	1.5-mile	Variation	N/A	N/A	N/A	N/A
DuPage County variation request to reduce a interior side setback from 20' to approximately 0' for the installation of accessory structures.							
PC-04-2023	720 Village Center Dr.	Minor PUD Change	Paint facades	App.	Deny	App.	A-834-07-23
Granting a minor change to PUD Ordinance #A-834-14-21 to paint exterior facades and add a canopy. After the Plan Commission meeting, the petitioner alerted the plans to conform to Commissioner's comments. This revised version was then approved by the Board.							
PC-05-2023	15W730 90 <sup>th</sup> St.	1.5-mile	Variation	Comments sent		N/A	N/A
DuPage County variation requests for lot width and lot area for the proposed lot reconfiguration							
PC-06-2023	9200 Kingery Hwy (Quik Trip)	1.5-mile	Rezoning & Conditional Use for Planned Development	Objection letter/written protest sent		N/A	
Requests for a rezoning from R-4/Single Family Residential and O-R/Office Research to B-2/General Business, for a convenience store, automobile fueling station area, semi-truck parking, and semi-truck fueling station area							
PC-07-2023	Village Center Entertainment District	Special Use Amend.	Final approval of streetscape	App	App	App	A-834-10-23
Request to approve the final streetscape designs in the Village Center Entertainment District.							
PC-08-2023	6200 S Madison St.	1.5-mile	Variation	Comments sent		N/A	N/A

DuPage County variation request to reduce the front yard setback from 30' to approximately 18' for the construction of two recreational pickleball courts							
PC-09-2023	N/A	Review	PC Meeting Dates	App	App	N/A	N/A
Review the 2024 Regular Meeting dates of the Plan Commission/Zoning Board of Appeals							
PC-10-2023	N/A	Review	PC Vice Chair	App	App	App	N/A
Annual nomination of the Plan Commission's Vice Chair position.							
PC-11-2023	10S710 Kingery Hwy	1.5-mile	Conditional Use	Comments sent	N/A	N/A	
DuPage County requests for a Conditional Use to allow auto sales (selling on the internet) in the B-1 Local Business District.							
PC-12-2023	10S644 Kingery Hwy	1.5-mile	Conditional Use	Comments sent	N/A	N/A	
DuPage County requests for a Conditional Use to allow auto sales in the B-1 Local Business District.							

Throughout 2023, the Board of Trustees and Plan Commission requested several items be brought forward again at the 2024 annual zoning review for further consideration and possible direction to pursue as text amendments. Staff has also identified several matters requiring additional Plan Commission consideration.

#### **Definition of Family**

At the September 18, 2023 Plan Commission meeting, the Plan Commission asked the Board to direct the Plan Commission to hold a public hearing to review the definition of family in the Zoning Ordinance. This was intended to be a follow-up to the text amendment change to evaluate any issues.

#### **Definition of Boarding, Rooming, and Lodging Homes**

At the September 18, 2023 Plan Commission meeting, the Plan Commission asked the Board to direct the Plan Commission to hold a public hearing to review the definition of Boarding, Rooming, and Lodging Homes in the Zoning Ordinance. The Commission views these uses as posing a similar enforcement issue as the number of unrelated persons residing together.

#### **Height of a Detached Garage Door**

At the May 15, 2023 Plan Commission meeting, the Plan Commission directed the Board to hold a public hearing on amending the regulation for a detached garage door height, increasing it from 9 ft. to 10 ft. A few years ago, a Zoning Ordinance amendment permitted one door of an attached garage to be up to 10 ft. in height.

#### **Location of Masonry Piers**

A request from the Mayor to review the regulations regarding the location of masonry piers, potentially permitting them in the front yard. Under the current Zoning Ordinance, Masonry

pier regulations state: A maximum of four masonry piers are permitted in the rear buildable area of a residential lot and may encroach into the required rear yard provided a 10-foot setback from the rear lot line is provided and that they do not exceed 6 feet in height and four-square feet in area.

#### **Definition and Classify Use for CILA Homes**

There are currently no regulations regarding the definition or use of CILA (Community Integrated Living Arrangement) homes. At the September 18, 2023 meeting, the Plan Commission directed staff to ensure that CILA homes would not be prohibited under short-term rental language. It was the staff's opinion that a short-term rental is a distinctly separate use from a CILA home. Staff recommended that CILA homes be included in the annual zoning review for further discussion.

#### **Administrative Variation**

The Plan Commission may wish to review the process of a variation request if the request is a numerical variation within a certain minor percentage of the Zoning Ordinance Regulations (for example, 10% - a request for a setback from 10 ft. to 9 ft.). Staff may assess the extent of the variation in terms of percentage from the current Zoning Ordinance regulations and may be able to authorize the request without going through the Plan Commission and Board of Trustees. Staff recommended administrative variations be added to the annual zoning review for other consideration.

#### **Outdoor Dining Enclosures**

At the November 20, 2023 Plan Commission meeting, the Plan Commission asked the Board to direct the Plan Commission to hold a public hearing for a text amendment regarding outdoor dining. Many restaurants have requested special uses for outdoor dining enclosures and the consensus from the Commission is to review the requests through a text amendment. The outdoor dining regulations which prohibited these wall enclosures were approved May 8, 2023.

#### **Decibel Level Regulations for Swimming Pool Equipment**

At the December 4, 2023 Plan Commission meeting, a text amendment was approved to increase the swimming pool equipment pad from 28 sq. ft. to 48 sq. ft., with the direction to have staff review the Noise Ordinance regulations and the decibel level for swimming pool equipment. Under the current Zoning Ordinance, the decibel level for swimming pool equipment regulations state: Pool equipment shall not generate noise exceeding 75 decibels measured 23 feet from the equipment pad. Generators are also held to this same decibel level.



## VILLAGE OF BURR RIDGE

### MEMORANDUM

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

**FROM:** Ella Stern, Planner

**DATE:** February 19, 2024

**RE:** **PC-04-2024: Virtual Plan Commission Meeting Attendance**

The Rules of Procedure for the Plan Commission meetings require in-person attendance. In order to permit virtual meeting attendance, the Plan Commission must amend the Plan Commission by-laws.

Chapter 3; Section 1.3 of the Burr Ridge Municipal Code states that the Plan Commission may adopt such rules and regulations as are consistent with Village ordinances and State Statutes. The Rules of Procedures outlined herein establish such rules and regulations as authorized by the Municipal Code. Any prior rules are hereby revoked and superseded by these regulations.

The Board of Trustees regulations pertaining to virtual attendance for reference are below.

#### **2.64 Ordinances - Voting - Approval - Veto - Teleconference Voting**

Every ordinance and resolution shall be reduced to writing and presented to the Board of Trustees before vote thereon by the members is taken.

On any item requiring a roll call vote, the concurrence of the majority of all members then holding office, including the Village President, shall be required in order for any ordinance, resolution or motion to pass; any other matter shall pass on the majority vote of all members present at a duly convened meeting, provided there is a quorum, unless the statute authorizing the action specifically provides otherwise.

All resolutions and motions (1) which create any liability against the Village, or (2) which provide for the expenditure or appropriation of its money or (3) which authorize the sale of any Village property, and all ordinances, shall be decided by a roll call vote, the result of which vote shall be recorded, and all ordinances passed by the Village Board shall be deposited with the Village Clerk. If the Village President approves them, the Village President shall sign them. Those of which the Village President disapproves, shall return to the Board of Trustees, with written objections, at the next regular meeting of the Board of Trustees occurring not less than five days after their passage. The Village President may disapprove any one or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and if so, the remainder shall be effective. However, the Village President may disapprove entirely of an ordinance, resolution, or motion making an appropriation. If the Village President fails to return any ordinance or resolution with

written objections, within the designated time, it shall become effective despite the absence of the signature of the Village President.

Any matter requiring a roll call vote at a meeting of the Board of Trustees may be voted on by an absent Trustee or Trustees via conference telephone call between the absent Trustee (s) and the rest of the Board present at the regular meeting under the following conditions:

1. The absent Trustee(s) cannot be physically present at the regular meeting at which the matter is put to a vote due to circumstances beyond the control of the Trustee (s).
2. The absent Trustee(s) has (have) notified the Village President of the absence and the reason for the absence at least 48 hours before the meeting is convened, whenever practicable.
3. The voice(s) of the absent Trustee(s) on the conference telephone call, after being identified by the rest of the Board as belonging to the absent Trustee(s), shall be simultaneously broadcast to the public present at the regular meeting and open to the media, and the absent Trustee (s) shall also be able to hear any public comment regarding the issue elicited at the meeting, if any, before the vote is taken.
4. The absent Trustee(s), before voting, shall publicly state the reason for not being present at the regular meeting to vote in person.
5. The Village Clerk shall record the manner of participation of a Trustee participating by telephone conference call.
6. The absent Trustee(s) shall not be counted in the determination of a quorum for the meeting. (amended by A-781-1-98)

Staff provided draft language to adopt in the Plan Commissions Rules of Procedures, as follows. This language has been sent to the Village Attorney for review. At the time of the staff report, staff did not receive the Village Attorney's comments.

### *XIII. Teleconference Meeting Attendance*

*Any matter requiring a roll call vote at a meeting of the Plan Commission/Zoning Board of Appeals may be voted on by an absent Commissioner or Commissioners via conference telephone call between the absent Commissioner (s) and the rest of the Plan Commission present at the regular meeting under the following conditions:*

- 1. The absent Commissioner (s) cannot be physically present at the regular meeting at which the matter is put to a vote due to circumstances beyond the control of the Commissioner (s).*
- 2. The absent Commissioner (s) has (have) notified the Chairperson and Village Planner of the absence and the reason for the absence at least 48 hours before the meeting is convened, whenever practicable.*
- 3. The voice(s) of the absent Commissioner (s) on the conference telephone call, after being identified by the rest of the Plan Commission as belonging to the absent Commissioner (s), shall be simultaneously broadcast to the public present at the regular meeting and open to the media, and the absent Commissioner (s) shall also be able to hear any public comment regarding the issue elicited at the meeting, if any, before the vote is taken.*



4. *The absent Commissioner (s), before voting, shall publicly state the reason for not being present at the regular meeting to vote in person.*
5. *The Village Planner shall record the manner of participation of a Commissioner(s) participating by telephone conference call.*
6. *The absent Commissioner (s) shall not be counted in the determination of a quorum for the meeting.*

**Appendix**

Exhibit A – Plan Commission Rules of Procedure



## VILLAGE OF BURR RIDGE PLAN COMMISSION

### RULES OF PROCEDURE

#### I. General Rules and Regulations

- A. **Authorization:** Chapter 3; Section 1.3 of the Burr Ridge Municipal Code (attached hereto as **Appendix A**) states that the Plan Commission may adopt such rules and regulations as are consistent with Village ordinances and State Statutes. The Rules of Procedures outlined herein establish such rules and regulations as authorized by the Municipal Code. Any prior rules are hereby revoked and superseded by these regulations.
- B. **Purpose:** The rules and regulations described herein are general guidelines for conducting Plan Commission business and meetings. The Chairperson and Plan Commission may modify all rules and regulations described herein unless otherwise specifically mandated by other Ordinances or policies of the Village of Burr Ridge.
- C. **Suspension of Rules and Regulations:** The Chairperson may suspend any rules or regulations contained herein unless said rule or regulation specifically states that a majority vote of the Plan Commission is required for modification.
- D. **Open Meetings:** All meetings of the Plan Commission shall be open to the public and no action shall be taken except at such a public meeting. All meetings and notices of meetings shall comply with the Illinois Open Meetings Act.
- E. **Inclusion of Zoning Board of Appeals:** For purposes of these Rules of Procedure, all references to the Plan Commission shall also include the Zoning Board of Appeals unless specifically stated otherwise.

#### II. Members and Officers

- A. **Chairperson:** The Chairperson of the Plan Commission shall be appointed by the Village President and Board of Trustees as per Section XIII.C and D of the Burr Ridge Zoning Ordinance (attached hereto as **Appendix B**).
- B. **Vice Chairperson:** A Vice-Chairperson shall be appointed by a majority vote of the Plan Commission subject to the approval of the Board of Trustees. The Vice-Chairperson shall serve a one-year term unless otherwise determined by the Plan Commission and Board of Trustees. The position of Vice Chairperson

shall be rotated annually among those members of the Plan Commission who volunteer to serve as the Vice Chairperson.

- C. **Commissioners:** Commissioners shall be appointed and serve as per Section XIII.D of the Burr Ridge Zoning Ordinance.
- D. **Alternate Commissioner:** An alternate Commissioner shall be appointed and serve as per Article 1, Section 1.5 of the Burr Ridge Municipal Code.
- E. **Board of Trustees (BOT) Representative Pro Tem:** The Plan Commission shall adopt an annual schedule designating different Commissioners as the Board of Trustees Representative Pro Tem. The appointment of the BOT Representative Pro Tem shall rotate between each of the Commissioners and the Alternate Commissioner.
- F. **Executive Secretary:** The Community Development Director shall serve as Executive Secretary to the Plan Commission.

### III. Duties of Officers

- A. **Chairperson:** The Chairperson shall preside at all meetings and public hearings, assure that all the rules and regulations are obeyed, affirm all those persons at a public hearing who wish to testify, and prepare or direct the preparation of all reports, recommendations, or other official documentation.
- B. **Vice-Chairperson:** The Vice-Chairperson shall assume all responsibilities and duties of the Chairperson in the Chairperson's absence or during such times when the position of Chairperson may be vacant. In the absence of both the Chairperson and Vice-Chairperson, the Chairperson shall appoint a Commissioner to temporarily preside and perform the duties of the Chairperson or, lacking such action, a temporary Chairperson shall be designated by the majority of those Commissioners present.
- C. **Board of Trustees (BOT) Representative Pro Tem:** The BOT Representative Pro Tem shall attend the designated meetings of the Board of Trustees and shall be available to respond to all inquiries from the Board of Trustees relative to any and all Plan Commission recommendations and considerations. The Representative shall strive to represent the majority and minority opinions and findings of the Plan Commission as was portrayed at the various public meetings of the Plan Commission. The Representative shall avoid expressing personal opinions to the Board of Trustees except as may be determined appropriate in the context of expressing the Commission's majority and minority opinions and findings.
- D. **Executive Secretary:** As the Executive Secretary, the Community Development Director shall set agendas, publish notices for hearings, prepare

written staff summaries for all matters to be considered by the Plan Commission, prepare findings of fact as directed by the Plan Commission, take minutes of all meetings, prepare letters of recommendation for matters being forwarded to the Board of Trustees and perform all other administrative tasks as directed herein or as may be directed by the Chairperson or Plan Commission in the fulfillment of their duties.

#### IV. Agendas

- A. **Agenda Items:** Items that may be placed on a Plan Commission agenda include all of the various hearings and considerations outlined in the Village of Burr Ridge Zoning Ordinance, Subdivision Ordinance, or Sign Ordinance or as may otherwise be directed by the Board of Trustees.
- B. **Numbering of Agenda Items:** All petitions filed requesting rezoning of property, text amendments to the Zoning Ordinance, and special use approvals shall be given the following designation: Z-01-2000 with “Z” representing the petition type, the middle number representing the number of petitions filed for that year (numbered sequentially and based on the public hearing date) and the last four digits representing the year. Likewise, all petitions filed requesting a zoning variation shall follow the same numbering pattern but with a “V” designation. All other requests for consideration or approval such as subdivision signs, zoning appeals, and site plan approvals shall also follow the same numbering scheme but with a designation of “PC”.
- C. **Setting of Agenda:** The Community Development Director shall be responsible for preparing all agendas and, in consultation with the Chairperson (or Vice Chairperson in the Chairperson’s absence) as determined necessary, shall determine those items that may be placed on an agenda. Preparation of agendas shall follow the following guidelines:
  - 1. Only those matters that relate to the jurisdiction of the Plan Commission, as determined by the various Ordinances of the Village of Burr Ridge, may be placed on the agenda.
  - 2. Agendas shall be set in a format consistent with the attached **Appendix C**.
  - 3. Matters to be placed on an agenda shall meet the filing deadlines established in Section V, below. The Community Development Director, in consultation with the Chairperson (or Vice Chairperson in the Chairperson’s absence), may delay placement of certain matters on an agenda due to the total number of items on that agenda. In doing so, preference shall be given to those matters related directly to a single-family home and those matters that may be more urgent due to public interest or existing site conditions.
- D. **Re-Arrangement of Agenda:** The Chairperson, with the consent of the Plan Commission, may re-arrange an agenda at any time during a meeting.

Generally, such action shall be considered as a service to those citizens in attendance at a meeting or to add efficiency to the conducting of the Plan Commission's business.

**V. Filing of Petitions and Requests for Consideration**

- A. All public hearing petitions must be filed at least three weeks in advance of the meeting date in order to allow sufficient time for publication of notices. The Community Development Director may require additional time if needed for publication of notice.
- B. All other considerations shall be filed at least one week in advance of the meeting date unless otherwise dictated by the Community Development Director.
- C. Petitions for public hearings and requests for other considerations shall be made on forms provided by the Community Development Director and accompanied by supporting documentation as deemed necessary by the Community Development Director. Petitions for public hearings and requests for considerations shall not be considered filed until all such information is provided.
- D. The petitioner or applicant may provide additional information beyond the filing deadline. However, such information submitted beyond the filing deadline may result in a continuance in order for the Plan Commission and Community Development Director to process the information.
- E. The public is encouraged to provide written statements or documentation and is encouraged to submit such documents to the Community Development Director on or before the Wednesday preceding the public hearing or meeting.

**VI. Notice of Public Hearings**

- A. Notices for all public hearings considered by the Plan Commission shall be provided as follows:
  - 1. Legal Notice: Legal notice shall be provided in a newspaper of general circulation in the Village at least 15 days before the hearing date. Said notice shall comply with applicable State Statutes.
  - 2. Public Notice: Public notice shall be provided to area property owners within 500 feet of the property that is the subject of the public hearing at least 12 days prior to the hearing date.
  - 3. Posted Notice: Posted notice shall be provided on the property that is the subject of the public hearing at least 12 days prior to the hearing date.

- B. If notice is not provided herein or if the Plan Commission otherwise determines that affected parties have not had sufficient notice, the public hearing may be rescheduled and the Community Development Director directed to provide notice as required herein or as may otherwise be deemed appropriate. If the Plan Commission determines that sufficient notice has been provided despite a failure to provide notice as required herein, the Plan Commission may waive the applicable notice requirement.
- C. Notice of hearings continued to a specific date shall not be required unless specifically directed by the Chairperson.

## **VII. Quorum**

- A. A minimum of four members, including the alternate, must be present for the Plan Commission to conduct a meeting.
- B. In the event that a quorum is not present to conduct a meeting, all items on the agenda shall be continued to the next meeting with no further action required. The Chairperson shall inform all present of the next meeting date. No new notices shall be required unless specifically directed by the Chairperson.
- C. A minimum of four members, not including the alternate, must be present for the Plan Commission to proceed with any hearings or considerations that are specifically under the jurisdiction of the Zoning Board of Appeals.
- D. In the event that a quorum is not present to conduct business as the Zoning Board of Appeals, that particular agenda item shall be continued to a specific meeting date. Such date shall be included in a motion to continue the matter and no new notice shall be required unless specifically directed by the Chairperson.
- E. A Commissioner who is unable to attend a meeting shall endeavor to notify the Community Development Director in advance of the scheduled meeting. If it is determined in advance of a meeting that a quorum will not be present, the Community Development Director shall so notify the Chairperson and the meeting will be canceled. The Community Development Director shall notify Commissioners and shall endeavor to notify the petitioners, applicants, and all other interested parties.

## **VI. Rules for Public Participation**

- A. All persons wishing to testify at a public hearing or address other business with the Plan Commission shall state their name and address prior to addressing the Plan Commission.

- B. All persons wishing to testify at a public hearing or address other business with the Plan Commission shall speak clearly so that all statements may be recorded.
- C. All persons wishing to present testimony, questions, or discussion at a public hearing or during any other matter before the Plan Commission shall do so during the time allotted herein unless granted specific permission by the Chairperson to speak out of turn.
- D. All testimony, questions, and discussion at a public hearing or during consideration of other matters should relate to the issue under consideration by the Plan Commission. Testimony, questions, and discussion not relevant to the issue under consideration should be disregarded. The Chairperson may stop any testimony, questions, or discussion deemed irrelevant to the issue.
- E. Repetitive testimony, questions, and discussion are to be avoided. The Chairperson may stop any testimony, questions, or discussion deemed to be repetitive.
- F. Abusive behavior, personal accusations, threats, or insults are prohibited under any and all circumstances. The Chairperson shall stop any such testimony.

#### **VIII. Public Hearing Procedures**

- A. All procedures outlined in Section VIII herein shall be applicable to public hearings.
- B. All persons wishing to testify at a public hearing shall affirm that all testimony given shall be truthful.
- C. All public hearings shall proceed according to the following steps:
  - 1. Reading of Public Notice: The Community Development Director shall open the hearing by reading the public notice and presenting any background information as deemed appropriate.
  - 2. Petitioner's Testimony: The petitioner will present the petition and testimony relevant to the findings of fact.
  - 3. Public Testimony: Anyone in attendance at the public hearing will be given the opportunity to present testimony relevant to the findings of fact in support of or opposition to the petition.
  - 4. Petitioner's Rebuttal: The petitioner may rebut any statements and respond to any questions from the public.
  - 5. Plan Commission Questions: The Plan Commission may ask questions of the petitioner, the public, or the Community Development Director relative to the findings of fact and statements made during the public hearing.

6. Plan Commission Discussion: The Plan Commission may make statements regarding the petition and findings of fact and may otherwise discuss written or verbal testimony relative to the public hearing.
  7. Close of Hearing: At the conclusion of discussion, the Chairperson shall ask for a motion to close the hearing. The hearing shall be closed by a majority vote of the Plan Commission.
- D. Immediately upon closing of a public hearing, the Chairperson shall ask for further discussion. If no further discussion is forthcoming, the Chairperson shall ask for a motion regarding the Plan Commission's recommendation to the Board of Trustees to approve, approve with conditions, or deny the petition. A motion to adopt the findings of fact shall accompany such motion. The Plan Commission may adopt the findings presented by the petitioner, adopt the findings presented by the petitioner with specified changes, or to direct the Community Development Director to prepare specified findings of fact.
- E. All testimony, questions, and discussion at a public hearing should relate to the findings of fact for each petition. Testimony, questions, and discussion not relevant to the findings of fact should be disregarded. The Chairperson may stop any testimony, questions, or discussion deemed irrelevant to the findings of fact.

#### **IX. Procedures for Other Considerations**

- A. All procedures outlined in Section VIII herein shall be applicable to the Plan Commission's consideration of matters other than public hearings including but not limited to sign variations, subdivision plats, and zoning appeals.
- B. Consideration of matters other than public hearings shall proceed according to the following steps:
1. Introduction: The Community Development Director will present a review and summary of the request for consideration.
  2. Applicants' Presentation: If a party other than the Community Development Director is requesting consideration, that party shall then present the matter to the Plan Commission and state reasons for the request for consideration.
  3. Public Comment: Anyone in attendance at the meeting will be given the opportunity to ask questions or comment on the request for consideration.
  4. Applicant's Rebuttal: The applicant may rebut any statements or respond to any questions from the public.
  5. Plan Commission Questions: The Plan Commission may ask questions of the applicant, the public, or the Community Development Director relative to the request for consideration.
  6. Plan Commission Discussion: The Plan Commission may make statements or discuss the request for consideration.
  7. Plan Commission Motion: Upon conclusion of all discussion, the Chairperson shall ask for a motion to recommend that the Board of Trustees



approve, approve with conditions, or deny the request for consideration. For such matters on which the Plan Commission is the final authority, the motion shall be for the Plan Commission to approve, approve with conditions, or deny the request for consideration.

**X. Motions and Voting Procedures**

- A. Any recommendation to the Board of Trustees and any final action by the Plan Commission shall be subject to approval by a motion and roll call vote of the Plan Commission.
- B. Voting on other matters not being forwarded to the Board of Trustees such as approval of minutes or procedural actions may be by voice vote unless a roll call vote is directed by the Chairperson or requested by a Commissioner. The minutes of each meeting shall reflect the voice vote of each Commissioner.
- C. Approval of a motion to approve or deny a request for variation being considered by the Zoning Board of Appeals shall require a majority vote of the entire Plan Commission, i.e. a minimum of four positive votes.
- D. Approval of motions other than those for variations being considered by the Zoning Board of Appeals shall require a majority vote of those Plan Commissioners present at a meeting.
- E. If a motion fails to receive sufficient positive votes for approval, the Chairperson shall ask for an alternate motion.
- F. If there is no motion receiving sufficient positive votes for approval, the Chairperson shall ask for further discussion or may ask for a motion to re-open the public hearing and continue it to a subsequent meeting for further information, discussion, and consideration.
- G. The Chairperson and the Plan Commission shall strive to achieve consensus and to make a positive recommendation to the Board of Trustees. Under any circumstances whereby a majority vote has not been established, a continuance to a subsequent meeting should be strongly considered to allow additional information to be presented or for further consideration of the matter.
- H. Any public hearing request or any other consideration being forwarded to the Board of Trustees which fails to ultimately receive a sufficient positive votes for approval, shall be forwarded to the Board of Trustees as a recommendation to deny the request.

**XI. Continuance of Public Hearings**

- A. The petitioner, a concerned citizen or a member of the Plan Commission may request a continuance of a public hearing at any time before or during the hearing.
- B. Requests for continuances shall be subject to a majority vote of those Plan Commissioners present at a hearing.
- C. Continuances should be to a date specified in the motion for continuance. Continuances to a specified date shall not require additional notice unless specifically directed by the Chairperson. Continuances to an unspecified date shall require full notice as stipulated herein.
- D. A first request for a continuance generally should be granted unless extreme hardship would result.
- E. A second request for a continuance may be granted for good cause such as lack of proper notice, consideration of new information, or unforeseen scheduling conflicts.

**XII. Schedule and Cancellation of Meetings**

- A. Prior to the beginning of each calendar year, the Plan Commission shall approve a schedule of meetings for the upcoming year. Generally, meetings will be scheduled at 7:30 PM on the first and third Monday of each month except for major holidays.
- B. The Chairperson in consultation with the Community Development Director may schedule special meetings, as is determined necessary. Special meetings shall be scheduled at least one week in advance.
- C. Scheduled meetings of the Plan Commission may be canceled due to the following circumstances:
  - 1. If there are no public hearings or other time-sensitive business scheduled for an upcoming meeting and the deadline for submitting a Petition for Public Hearing has passed. Under such circumstances, the Plan Commission may cancel said meeting by a majority voice vote of the Commissioners present.
  - 2. If the conditions described in Section XI.B.1 above are met but there is no prior meeting of the Plan Commission in which to consider cancellation, the Chairperson in consultation with the Community Development Director, may cancel said meeting.

Plan Commission Rules of Procedure

Adopted March 5, 2001 and Amended August 1, 2005

3. If it is determined that a quorum will not be available for a meeting, the Chairperson in consultation with the Community Development Director, may cancel the meeting.
- D. The Community Development Director shall notify the Plan Commission, Board of Trustees, the Press, and other interested parties as soon as is practical regarding any canceled meetings.