



**REGULAR MEETING
PLAN COMMISSION/ZONING BOARD OF APPEALS
MAY 6, 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 APRIL 15, 2024 MEETING MINUTES

III. PUBLIC HEARINGS

A. V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact [REMANDED FROM OCTOBER 23, 2023 BOARD OF TRUSTEES & CONTINUED FROM NOVEMBER 6, 2023, JANUARY 15, & APRIL 1, 2024]

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

B. V-02-2024: 15W627 89th Street (Eshghy); Variations and Findings of Fact [CONTINUED FROM MARCH 4, 2024]

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-06-2024: Zoning Ordinance Amendment for Warehouse and Warehousing (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section X.E, X.F, & XIV of the Burr Ridge Zoning Ordinance to clarify and define the "warehouse" and "warehousing" uses in the L-I and G-I districts.

IV. CORRESPONDENCE

**A. Board Reports
April 22, 2024**

B. Building Reports
March 2024

V. OTHER CONSIDERATIONS

A. PC-01-2024: Annual Zoning Review

Staff requests clarification regarding direction on the potential text amendments.

VI. PUBLIC COMMENT

VII. FUTURE MEETINGS

May 13 Village Board

Commissioner Irwin is the scheduled representative.

May 20 Plan Commission

A. V-03-2024: 9S241 Madison Street (Davalos); Variations and Findings of Fact

Request for three (3) variations from Zoning Ordinance Section IV.J to permit (1) a fence in the interior side yard; (2) a fence 6 feet in height; and (3) a fence less than 50 percent open.

B. Z-05-2024: 340 Shore Drive (Factor 75); Special Use and Findings of Fact

Request for special uses for (1) outside storage in accordance with Zoning Ordinance Section X.F.; and (2) a fence in a non-residential district in accordance with Zoning Ordinance Section IV.J.

C. 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, FEBRUARY 19, & APRIL 1, 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.

May 27 Village Board – NOT SCHEDULED

The May 27, 2024 Village Board meeting was not scheduled due to Memorial day.

June 3 Plan Commission

A. Z-03-2024: Zoning Ordinance Amendment for Outdoor Dining (Village of Burr Ridge); Text Amendment and Findings of Fact

Request to consider text amendments to Section VIII.I.e of the Burr Ridge Zoning Ordinance to

amend outdoor dining regulations to permit outdoor dining year-round in the Business Districts.

B. Z-04-2024: Zoning Ordinance Amendment for Walls and Masonry Piers (Tuschall); Text Amendment and Findings of Fact

Request to consider text amendments to Section IV.I.36 of the Burr Ridge Zoning Ordinance to permit Walls and Masonry Piers in the non-residential districts.

C. Z-10-2023: 212 Burr Ridge Parkway (Jonny Cabs); Special Use Amendment and Findings of Fact [CONTINUED FROM NOVEMBER 20, DECEMBER 18, 2023, FEBRUARY 5, & APRIL 15, 2024]

Requests an amendment to a special use regarding an outdoor dining enclosure at an existing restaurant pursuant to Ordinance #A-834-02-21, County Line Square PUD Ordinance #A-834-19-21, and Section VIII.1.e of the Burr Ridge Zoning Ordinance.

D. Z-12-2023: 114 Burr Ridge Parkway (Capri Express); Special Use Amendment and Findings of Fact [CONTINUED FROM NOVEMBER 20, DECEMBER 18, 2023, FEBRUARY 5, & APRIL 15, 2024]

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

E. Z-07-2024: 311 Shore Drive (Tesla); Special Use Amendment and Findings of Fact

Requests an amendment to a special use to permit automobile rentals at an existing business pursuant to Ordinance #A-834-01-23, and Section X.F.2.a of the Burr Ridge Zoning Ordinance.

VIII. ADJOURNMENT

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS

MINUTES FOR REGULAR MEETING OF APRIL 15, 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: 8 – Irwin, McCollian, Parrella, Petrich, Broline, Stratis, Morton, and Trzupek

ABSENT: 0 – None

Community Development Director Janine Farrell, Planner Ella Stern, Public Works Director David Preissig and Trustee Guy Franzese were also present.

II. APPROVAL OF PRIOR MEETING MINUTES – APRIL 1, 2024

Commissioner Petrich noted on page ten he did not make the motions.

Commissioner Broline noted on page six that outdoor dining walls being proposed shall be subject to engineer review.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to approve the minutes of the April 1, 2024 meeting as amended.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0

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, & FEBRUARY 5, 2024]

Chairman Trzupek introduced case Z-10-2023 and Z-12-2023 and noted the petitioners did not provide new information. Chairman Trzupek noted the next public hearing for the proposed text amendment regarding outdoor dining was June 3, 2024.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Irwin to continue the public hearing for Z-10-2023 and Z-12-2023 until the June 3, 2024 meeting.

ROLL CALL VOTE was as follows:

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

MOTION CARRIED by a vote of 8-0

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

A motion was made for the continuance of both Z-10-2023 and Z-12-2023 under section III.A.

IV. CORRESPONDENCE

Commissioner Irwin asked for clarification regarding case V-01-2024.

Stern discussed the case and noted that the public hearing was March 4, 2024.

V. OTHER CONSIDERATIONS

A. PC-06-2024: 6900 Veterans Blvd. and 451 Commerce St. (Midwest RE Acquisitions LLC/Bridge Industrial); Pre-Application Conference [No formal recommendation or motion will be taken]

Chairman Trzupek introduced the case and noted tonight was a pre-application conference. Chairman Trzupek stated there would be no formal recommendation or motion made tonight. Chairman Trzupek noted there would be public comment, but the consideration was not a public hearing.

Farrell stated the Petitioner is Bridge Industrial, who seeks comments on their proposal for the 113-acre site commonly referred to as CNH. Farrell noted tonight was not a public hearing, and no formal recommendation was being made to the Plan Commission. Farrell noted there was no public testimony as part of the case, but the public comment portion of the meeting immediately followed. Farrell noted in accordance with the Rules of Procedure, public comment was limited to half an hour, with each person provided 3 minutes. Farrell stated Chairman Trzupek could extend these at his discretion. Farrell stated a 20-page staff report, with detailed comments from staff and the Village's consultant Kimley-Horn, was provided. Farrell stated the petitioner's proposal was to divide the property into 13 parcels, including 72-unit townhomes, 6 industrial buildings, and a Public Works facility. Farrell stated the proposal includes off-site traffic or roadway improvements and the extension of Veterans Blvd. through the site. Farrell stated detention would be provided, and a multi-use trail connecting to Harvester Park. Farrell stated the proposed zoning actions if the proposal proceeds to a public hearing. Farrell

discussed the proposed R-5 Planned Residence District and Light Industrial District. Farrell noted there is only one point of entry into the townhome development, and staff recommends having two points of entry. Farrell stated the petitioner is proposing six industrial buildings plus the relocation of the public works facility. Farrell noted the proposed lot coverage and green space areas. Farrell noted petitioner did not provide information regarding the uses or tenants at this time. Farrell stated the Plan Commission asked the Village Board to direct them to hold a public hearing regarding warehousing, and the public hearing for the proposed text amendment would be on May 6th, 2024.

The petitioner, Jon Pozerycki, of Bridge Industrial gave a brief history of Bridge Industrial. Pozerycki noted Bridge focused on Light Industrial and Industrial products. Pozerycki noted Bridge planned to own the development long term. Pozerycki stated the proposal included building townhome units, 6 light industrial buildings, and a Public Works facility. Pozerycki stated the proposal was based on the Village's Comprehensive Plan and feedback from the Village ADOC Committee. Pozerycki noted no Costco was proposed.

The petitioner, Curt Pascoe, of Bridge Industrial, noted the site was 113 acres. Pascoe discussed the existing CNH site and the surrounding uses. Pascoe stated the proposed land uses throughout the site. Pascoe reiterated the basis of the proposal was from the Village's Comprehensive Plan and Zoning Ordinance. Pascoe showed illustrations of existing views and conditions throughout the site. Pascoe showed proposed renderings from the outside and inside of the buildings. Pascoe noted the proposal was not final. Pascoe noted the key goals for the site development. Pascoe noted Bridge was not proposing one large industrial building. Pascoe noted Bridge did not know who the tenants would be at this time, but they would vary throughout the business park. Pascoe noted Bridge owns and operates many developments throughout the Chicago land area and mentioned some of those tenants. Pascoe discussed stormwater management, community benefits, and the planned industrial buildings. Pascoe stated during the open house and at the ADHOC committee that residents supported a townhome development for seniors and empty nesters looking to downsize and have a first-floor bedroom. Pascoe stated that in order to select a suitable partner for the townhome development, Bridge wanted to hear from the Village. Pascoe discussed the traffic improvements on and off-site, residents' experience, landscape, multi-use trail, tax revenue, and stormwater. Pascoe showed before and after illustrations of the existing site versus the proposed site. Pascoe discussed the feedback, ideas, and requests from the open house held on March 21, 2024. Pascoe discussed the proposed traffic improvements and the traffic study.

Chairman Trzupek discussed rezoning and the regulations for the R-A Research Assembly District and the L-I Light Industrial District. Chairman asked for clarification regarding the 278 loading docks shown on the proposal. Pascoe stated there would not be 278 loading docks. Chairman Trzupek discussed truck traffic per day. Chairman Trzupek noted rezoning from R-A to L-I opened the site up to more truck traffic. Chairman Trzupek noted Highgrove had less than 150 loading docks, and Bridges' proposal was different and may have more truck traffic than the existing CNH. Chairman Trzupek discussed Highgrove and the new proposal. Chairman Trzupek asked Bridge to further elucidate the truck traffic and justify the rezoning from R-A to L-I. Chairman Trzupek discussed car traffic, streets, and intersections, and suggested looking into the timing of

the traffic lights. Chairman Trzupek noted car traffic was already bad and would like to make it better or at least not worse.

Pascoe noted Bridge has conducted traffic studies on the existing industrial parks. Pascoe noted Bridge would take a detailed look at the timing of the traffic signals.

Chairman Trzupek asked to see the cross-section. Chairman Trzupek discussed the building heights in Fieldstone and the proposed light industrial buildings. Chairman Trzupek noted per the Village Zoning Ordinance, only two trucks were allowed to park outside overnight. Chairman Trzupek asked Bridge to future explain the 85% stormwater detention improvement. Chairman Trzupek mentioned the comprehensive plan notes to strengthen and maintain property values. Chairman Trzupek stated concern regarding the impact the proposal and potential increased truck traffic could have on property values. Chairman Trzupek discussed the thoroughfare and the need for further detail regarding the rezoning and stormwater.

Pascoe noted the concept did not include overnight truck parking and trucks consistently parked in the parking lot.

Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton discussed the proposed traffic counts and noted he would like to see further clarification. Commissioner Morton noted that 72 townhomes on a 20-acre lot seemed dense, and the Floor Area Ratio would be required and examined. Commissioner Morton stated the need for the traffic counts to be separated by use. Commissioner Morton expressed the need for more buffering and isolation between the proposed uses.

Commissioner Stratis noted he worked for Costco. Commissioner Stratis stated he had previous conversations with Bridge and had excused himself on the topic due to the potential Costco development. Commissioner Stratis stated he would no longer be recusing himself and noted Costco was not a part of the proposed development. Commissioner Stratis asked about the stormwater impact and improvement on Fieldstone. Pascoe stated Bridge would be improving stormwater management and reducing flow to the site.

Chairman Trzupek discussed stormwater management.

Commissioner Stratis asked if there were any restrictions inhibiting or prohibiting the proposed uses. Commissioner Stratis expressed the need for buffers on the site and discussed the townhome proposal. Commissioner Stratis supposed LEED certification and solar panels. Commissioner Stratis asked if Bridge intended to have carbon free heating.

Pascoe noted Bridge did not have an immediate plan for carbon free heating.

Commissioner Stratis asked if CNH was engaged when the Comprehensive Plan was last amended. Farrell noted she was unsure. Commissioner Stratis discussed outdoor

speakers, storage, and safety concerns regarding parking on the weekends. Commissioner Stratis explained a Planned Unit Development. Commissioner Stratis asked about the existing CNH water tower. Commissioner Stratis expressed concern regarding parking and safety. Commissioner Stratis asked about Institute of Transportation Engineers (ITE) and the Level of Service grading system.

Pascoe noted the proposal was for a Planned Unit Development. Pascoe stated the CNH water tower would be removed. Pascoe explained the ITE.

Chairman Trzupek noted the only intersection that did not pass was at Plainfield and Highgrove, which received a D grade. Chairman Trzupek noted Carriage Way and County Line Road was already congested and questioned how the current proposal was adequate.

Commissioner Stratis noted he would not want any existing conditions to decline. Commissioner Stratis discussed the intersection off Veterans, traffic, and congestion.

Pascoe mentioned Bridge would further examine the traffic.

Commissioner Stratis mentioned the proposal stated 10 acres of green space, but he only noted 2 acres. Pascoe pointed out the large continuous green spaces. Commissioner Stratis asked for clarification regarding the parking and trailers. Pascoe discussed the surrounding facilities with parking lots dedicated for dead-end parking and storage. Commissioner Stratis asked if the developer would be requesting tax incentives. Pascoe noted not at this time.

Commissioner Broline stated concern regarding truck traffic and dead-end parking. Commissioner Broline asked if the townhome development was to provide a transition between the uses. Pascoe stated that the Village and Ad Hoc Committees input influenced the townhome development.

Commissioner Petrich asked about rezoning and meeting the light industrial regulations. Farrell stated if there were any exceptions, it would be a part of the PUD. Commissioner Petrich noted opposition to the permitted uses in the G-I District. Commissioner Petrich agreed with previous comments from the Commissioners. Commissioner Petrich asked if the petitioner has read staffs comments. Pascoe stated not at this time. Commissioner Petrich asked about building height. Farrell stated staff needed additional information to determine the maximum building height. Commissioner Petrich noted not every building should be 50' in height. Commissioner Petrich asked for clarification regarding the schedule and project timeline. Commissioner Petrich noted the two-year timeline seemed quick. Commissioner Petrich asked and discussed noise and pollution impacts, community benefits, pedestrian crossing at the County Line Road, pickleball courts, and the solar rooftops.

Pascoe stated a study on pollution and noise had not been conducted. Pascoe noted Bridge did intend to sell solar power. Farrell noted that current solar regulations are for providing power to the site itself.

Commissioner Parrella agreed with previous comments from the Commissioners. Commissioner Parrella noted a light, pollution, and emissions study was needed. Commissioner Parrella stated concern regarding safety and circulation. Commissioner Parrella asked for clarification regarding the square footage of the existing and proposed public works building. Commissioner Parrella asked if a study was conducted on the ponds to the south of the site to determine if they were sufficient. Pascoe stated that there would be changes to the topography, and Bridge would provide a stormwater study.

Commissioner McCollian noted concerns regarding truck traffic and traffic along Plainfield, Madison, Veterans Blvd., and County Line Road.

Commissioner Irwin was pleased with the development and the consideration that went into it. Commissioner Irwin stated concern regarding County Line Rd. traffic, truck traffic, and building height. Commissioner Irwin asked if there were different alternatives to entering and exiting the site. Farrell noted that was an important point to consider. Farrell noted staff recommended adding an access point to the east of the site. Farrell noted that the townhome development only had one proposed entrance point. Farrell noted the access point to the townhomes was also where the trucks would enter and exit.

Chairman Trzupek discussed the proposal for a Planned Unit Development and the rezoning request. Farrell clarified if the developer wished to do something differently than the PUD regulations, the PUD would need to be amended. Chairman Trzupek asked for clarification regarding the existing and proposed size of the public works building. Chairman Trzupek discussed building height and setbacks. Chairman Trzupek asked for clarification regarding LEED certification. Pascoe stated Bridge intends to obtain full LEED certification.

Commissioner Parrella asked Bridge to come back with the proposed signage. Commissioner Parrella asked about the process for a tenant who may want a sign deviating from the PUD regulations. Pascoe stated the PUD would include the sign regulations. Pascoe noted a tenant would need to amend the PUD if they wished to deviate from the regulations.

Commissioner Broline suggested the developer include a plan to manage the impact on residents and traffic during the 2-years of construction.

Chairman Trzupek discussed traffic stormwater, property values, and the need for noise, pollution, and light studies. Chairman Trzupek clarified this pre-application conference was not a public hearing. Chairman Trzupek asked for public comments.

Ingrid Templer, a Fieldstone resident, noted her yard looks onto Veterans Blvd. Templer noted she had not seen a single truck today, but there would be a significant increase with the proposal. Templer noted a fence would help alleviate the hardship.

Davick Kochen, 131 Surrey Lane, mentioned previous warehouse buildings and trucks blocking buildings on Tower Drive. Kochen stated more than two trucks were parked at the site overnight. Kochen distributed images to the Commission. Kochen stated concern regarding the potential truck traffic and noise impacts.

Chairman Trzupek reiterated the truck traffic was a concern.

Steve Patterson, 134 Surrey Lane, noted opposition to the development. Patterson stated concern regarding the 300-plus daily truck traffic trips. Patterson stated of the 82 residents he spoke to in Carriage Way, 64 residents expressed opposition to the development based on the number of truck and car traffic. Patterson stated concern regarding the intense use of warehousing or light industrial. Patterson noted it was unusual that the light industrial building was not adjacent to the main arterial roadways. Patterson noted Highgrove was not intended to handle the extensive proposed truck traffic. Patterson asked if the traffic study considered cars cutting through Veterans Blvd. to get from one place to another faster. Patterson discussed Carriage Way and Harvester Park. Patterson noted the proposed industrial building was not what came out of the Ad Hoc Committee.

Chairman Trzupek agreed with his concerns regarding a thoroughfare and Plainfield Rd. Chairman Trzupek reiterated that Bridge would need to show why rezoning was in the best interest of the Village.

Don Chappel, 7901 S County Line Road, stated concerns regarding the intensity of the use and traffic. Chappel noted the proposal was not in the best interest of the Village. Chappel stated he encourages Village staff to consider an alternative use for the site.

Mary Bradley, 121 Surrey Lane, discussed truck bays and noted the proposal had too many. Bradley questioned if the traffic study included the current surrounding businesses. Bradley stated the development should be peaceful and quiet, as mentioned in the Comprehensive Plan. Bradley noted residents would cut through the site utilizing the extension of Veterans Blvd.

Li Chai, 6852 Fieldstone Drive, stated a traffic profile was needed, and the traffic study needed to be considered. Chai discussed the proposal.

Donna Ryan, Chestnut Hills Association, stated concern regarding the overflow at the Park District. Ryan noted over the weekend Harvester Park already had overfill due to residents from other towns traveling to visit the park.

Chairman reiterated this was a pre-application conference. Chairman Trzupek noted the staff report packet and other documentation were available on the Village website. Chairman Trzupek discussed the next steps for the petitioner and the public hearing process.

Stern discussed the DuPage County Zoning action that the Village received on April 11, 2024. Stern noted she was waiting to hear back from DuPage County regarding whether the request was the same from December.

Commissioner Petrich noted there was a new request for auto repair in addition to the previous request.

Chairman Trzupsek noted dependent on staff's conversation with DuPage County, staff could revise the previous letter to include comments regarding the auto repair or submit the previous letter to DuPage County.

VI. PUBLIC COMMENT

No additional public comments were made.

VII. FUTURE MEETINGS

Stratis noted he was the representative for the April 22, 2024 Village Board meeting.

Stern noted the warehouse text amendment was on the May 6, 2024 Plan Commission agenda.

VIII. ADJOURNMENT

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commission McCollan to adjourn the meeting at 9:03 p.m.

ROLL CALL VOTE was as follows:

AYES: 8 – Irwin, McCollan, Parrella, Petrich, Broline, Stratis, Morton, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

Respectfully Submitted:

Ella Stern
Planner



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

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

HEARINGS:

July 17, September 18 &
November 20, 2023; January 15,
April 1, & May 6, 2024

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Janine Farrell, AICP
Community Development Director

PETITIONERS:

Rey & Haley Zaffar

PETITIONER STATUS:

Property Owners

PROPERTY OWNERS:

Rey & Haley Zaffar

EXISTING ZONING:

R-2A Single-Family Residential

LAND USE PLAN:

Recommends single-family
residential

EXISTING LAND USE:

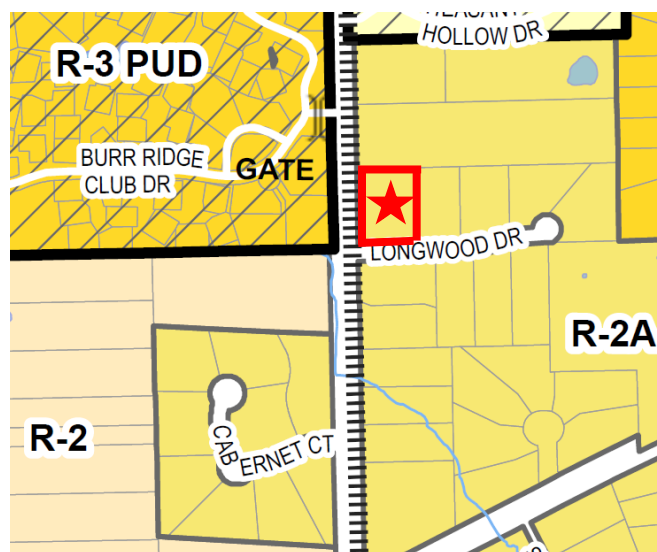
Single-family residence

SITE AREA:

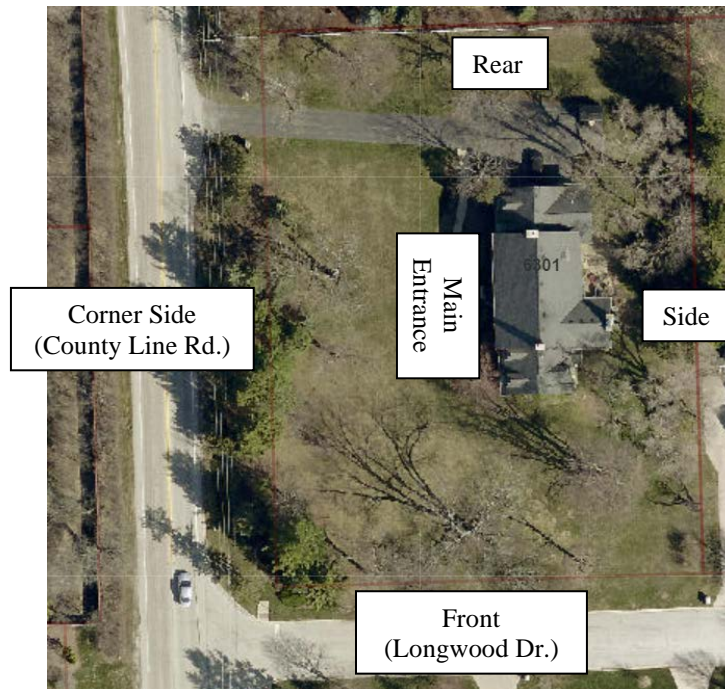
± 52,000 sq. ft./1.2 acres

SUBDIVISION:

Longwood



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



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

The petitioners are requesting variations from Zoning Ordinance sections IV.I and IV.J as detailed below. The variations were heard on July 17 and September 18, 2023. The Plan Commission recommendations were then considered by the Board of Trustees on October 23, 2023. The Board directed staff to prepare an Ordinance approving one of the variations but then remanded the remaining variation requests back to the Plan Commission. On November 13, 2023, the Board directed the Plan Commission to hold a public hearing on potential text amendments to residential driveway gates and fences. Those text amendments (Z-15-2023 and Z-16-2023) are currently under consideration by the Plan Commission. This case was continued on November 6, 2023 and January 15, 2024 pending the outcome of the text amendments. On April 1, 2024, the Plan Commission closed the public hearing and denied zoning case Z-15-2023, a request for a text amendment to section IV.I of the Zoning Ordinance to permit driveway gates on properties less than two acres in area located on arterial roadways and to uphold the current driveway gate regulations. On April 1, 2024, the petitioners requested a continuation to May 6, 2024. The status of the individual variation requests is detailed below and has remained unchanged since November 2023.

Requested Variations and Status:

1. To permit a deck in the front yard: *The Plan Commission unanimously recommended approval and the Board unanimously approved the request on November 13, 2023. This variation request has now been completed and is no longer under consideration.*
2. To permit a driveway gate on a parcel less than two acres in lot area: *The Plan Commission unanimously recommended denial. The Board directed the Plan Commission*

to review the driveway gate regulations and to potentially permit gates on properties less than 2-acres in lot area. This text amendment is currently under consideration (Z-15-2023). The petitioner wishes to continue with this variation request.

3. To permit a driveway gate exceeding 6 ft. in height: *The Plan Commission unanimously recommended denial and the Board did not support the request. The petitioner withdrew this request, and it will no longer be considered.*
4. To permit a driveway gate within the minimum 30 ft. corner side yard setback: *The Plan Commission unanimously recommended denial. The Board directed the Plan Commission to review the driveway gate regulations. This text amendment is currently under consideration (Z-15-2023). The petitioner wishes to continue with this variation request.*
5. To permit a fence in the corner side yard setback: *The Plan Commission unanimously recommended denial and the Board did not support the request. They recommended that dense landscaping be added along County Line Rd. instead to provide a barrier. The Board's direction to the Plan Commission for the potential fence text amendment is to review the permitted location of fences so that they are behind the true rear wall of the home. This is relevant for corner lots where the front of the home faces the corner side yard and not the front yard as defined in the Zoning Ordinance. The Board did not direct the Plan Commission to review permitting fences in front of homes, like what the petitioner is requesting. This text amendment is currently under consideration (Z-16-2023). The petitioner wishes to continue with this variation request.*

The petitioner provided updated materials, included as Exhibit A.


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

- Zoning Ordinance Section IV.I:
 - Driveway Gates (IV.I.12):
 - Permitted on parcels that are a minimum of 2 acres in area and have a front or corner side lot line with a minimum of 150 feet of street frontage. *While the property has 260 ft. (County Line Rd.) and 199 ft. (Longwood Dr.) of street frontage meeting that provision, it is only 1.2 acres in lot area and does not meet the minimum 2-acre lot area requirement.*
 - Driveway gates are permitted in a front buildable area and are also permitted in the required front and corner side yard but not closer to the front or corner side lot line than 30 feet. However, for each 3 feet of lot frontage less than 220 feet, an additional one-foot setback shall be provided. One gate per driveway is permitted. *While the petitioner is requesting the driveway gate in the corner side yard which is permitted if the property met the 2-acre minimum requirement, it does not meet the minimum required setback of 30 ft. The gate is proposed just inside the property line along County Line Rd.*
- Zoning Ordinance Section IV.J:
 - Fence:
 - Fences shall be permitted, unless otherwise provided herein, along the rear lot line and along the side lot lines extending no further toward the front of the lot than the rear wall of the principal building on the lot.

Except, however, on corner lots such fences shall extend not nearer to the corner side lot line than the required corner side yard setback. *The fence is proposed within the corner side yard setback, just inside the County Line Rd. property line. Per the Plat of Survey and Plat of Subdivision, there is a minimum 100 ft. setback along County Line Rd. For reference, there is an 80 ft. minimum setback in accordance with the County Line Rd. Overlay District regulations; 40 ft. is the standard R-2A corner side yard setback.*

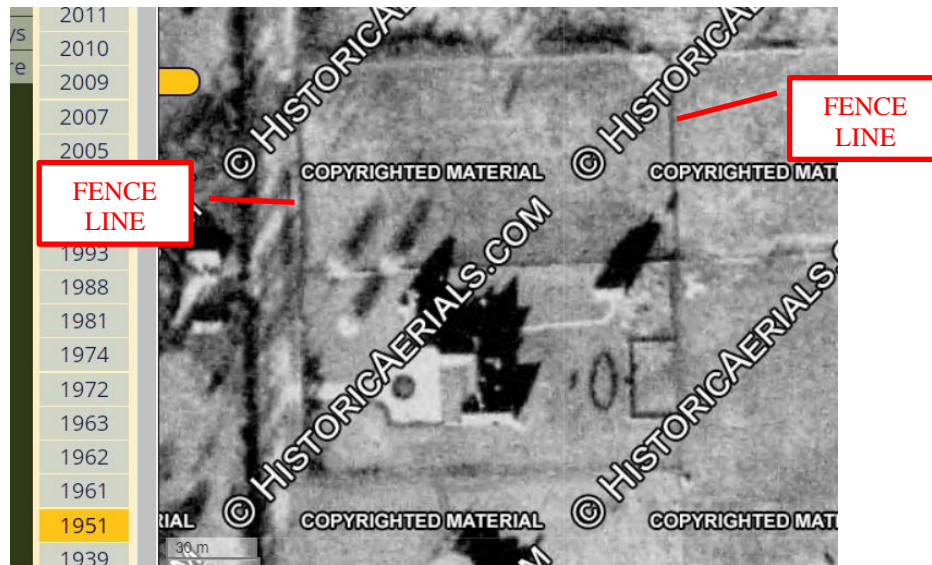
At the July 17, 2023 meeting, the Plan Commission requested additional information about properties in the area which have fences along County Line Rd. within the required setback. Information about the properties with frontage along County Line Rd. and which have a gate and/or a fence, starting from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

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

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

Of the nine properties surveyed which have fences and/or gates along County Line Rd., eight have fences. For the one home that does not, it was denied a variation request to put a fence in the setback in 2013. Of the eight homes with fences, two have fences which meet Zoning

Ordinance regulations. Of the remaining six homes, all have fences within the County Line Rd. setback. Three of those homes received variation approval for fences in the setback, but one approval was for a temporary snow protection fence only. The approved Ordinances are included as Exhibit B. For the remaining three homes, they are legal, nonconforming sites with homes and/or fences that pre-date the Village's incorporation. The two properties closest to the subject site, immediately adjacent to the north on the east side of County Line Rd. (6161 and 6191), have fences and gates within the front yard along County Line Rd. These two properties have had these fences and gates since at least 1951, prior to the Village's incorporation, and would be deemed legal, nonconforming or "grandfathered-in."



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



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



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

Public Hearing History

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

Public Comment

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

Findings of Fact and Recommendation

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

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

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

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

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

Exhibit C – Neighborhood Petition



VILLAGE OF BURR RIDGE

PETITION FOR PUBLIC HEARING PLAN COMMISSION/ZONING BOARD OF APPEALS

GENERAL INFORMATION (to be completed by Petitioner)

PETITIONER (All correspondence will be directed to the Petitioner): Rey Zaffar and Haley Zaffar
 STATUS OF PETITIONER: Homeowners residing at the Subject Property
 PETITIONER'S ADDRESS: 6301 South County Line Road, Burr Ridge, IL
 ADDRESS OF SUBJECT PROPERTY: 6301 South County Line Road, Burr Ridge, IL
 PHONE: 630-202-6965
 EMAIL: rey.Zaffar@gmail.com
 PROPERTY OWNER: Rey Zaffar and Haley Zaffar

PROPERTY OWNER'S ADDRESS: 6301 South County Line Road, Burr Ridge, IL PHONE: 630-202-6965
 PUBLIC HEARING REQUESTED: ☐ Special Use ☐ Rezoning ☐ Text Amendment ☒ Variation(s)

DESCRIPTION OF REQUEST:

Petitioner requests variations under Sections IV.I.12, IV.I.34 and IV.J of the Village Zoning Code to allow for (1) the installation of a fence along the west property line of the Subject Property along the single-family residence's frontage along South County Line Road, (2) the installation of an entry gate and pillars at the private single-family driveway onto South County Line Road and (3) the installation of a balcony adjacent to the single-family residence in the south yard along Longwood Drive.

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: ~52,000 sq. ft. EXISTING ZONING: R-2A
 EXISTING USE/IMPROVEMENTS: Residential - single-family residence
 SUBDIVISION: Longwood - Lot 1
 PIN(S) # 18-18-0307-001

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

X Haley Zaffar
 Petitioner's Signature

Rey Zaffar

June 1, 2023

Date of Filing



Findings of Fact - Zoning Variation
Burr Ridge Zoning Ordinance

Address:

6301 South County Line Road, Burr Ridge, IL

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

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

See attached Petitioner Homeowner's Narrative Statement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

To the Village of Burr Ridge City Council Members:

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

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

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

2. There is a property similarly situated as ours in orientation located 6116 S County Line. Its lot is half the size of ours and yet it has two gates, one on County Line and one on Woodgate Drive. Previous owners requested and received a variance approval for the gate/fence, meaning previous planning commissions and city council understood the hardship and agreed a gate and fence was acceptable. This is a key example of how our property needs are nearly identical and are appropriate precedent for us.

3. The traffic on County Line is extremely fast and busy at all hours. People will pull into our long driveway to turn around because it has the unsecured driveway and space to do so. Because the surrounding homes and subdivisions have gates we have become the most vulnerable lot and first window of opportunity for people to enter. In addition, rising crime, and car theft has risen dramatically over the last couple of years. Having such an exposed property makes us a very easy target because we are the most accessible.

4. While we did install a security system, the high traffic on County Line triggers the video alerts and maxes out our recordings in the three days of each month. Meaning, even with our existing security system, we can't properly monitor the entrance area because the volume of traffic is so high. A gate is the only certain method of ensuring that our kids are protected from accidentally going into the street and preventing unwanted people from driving onto our property.

5. We have adamant support from our neighbors in this matter and I have a signed document from them affirming their support for our request.

6. There is a house under construction on S County Line Rd, just north of Plainfield Rd. They have a circular driveway that enters/exits onto County Line. If they were to apply for a variance for a gate they would also need to apply for a variance regarding the setback. Based on the right of way and 30ft rule previously discussed at planning commission meetings, their gate would be nearly at the front door. This serves as an example of why people apply for such variances, particularly the road north of I-55 on County Line Rd. Our needs in this area are distinctly unique from the vast majority of Burr Ridge.

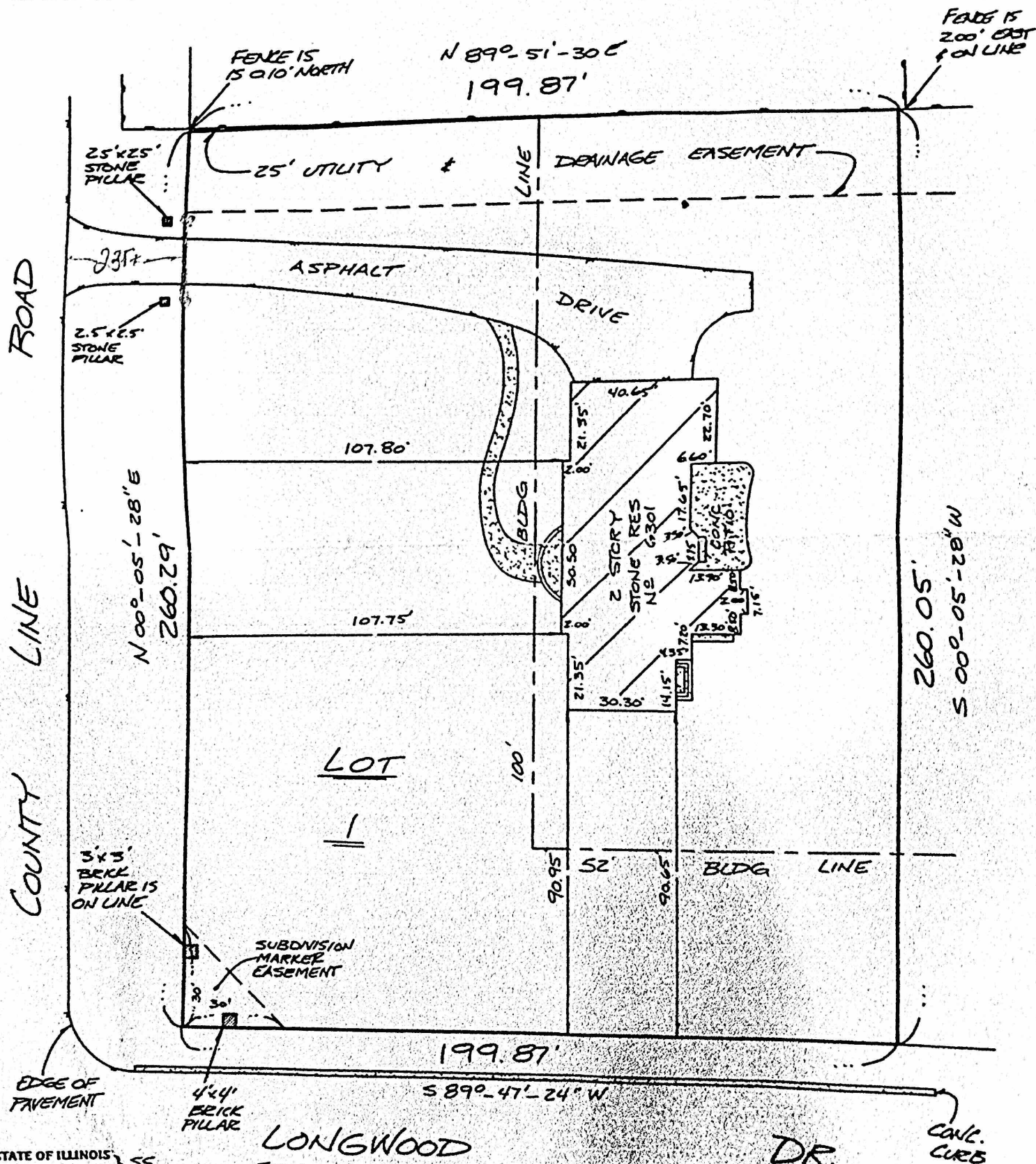
We thank you in advance for taking the time to review these materials and we look forward to meeting you all in person.

Thank you,
Haley and Rehan Zaffar



PLAT OF SURVEY

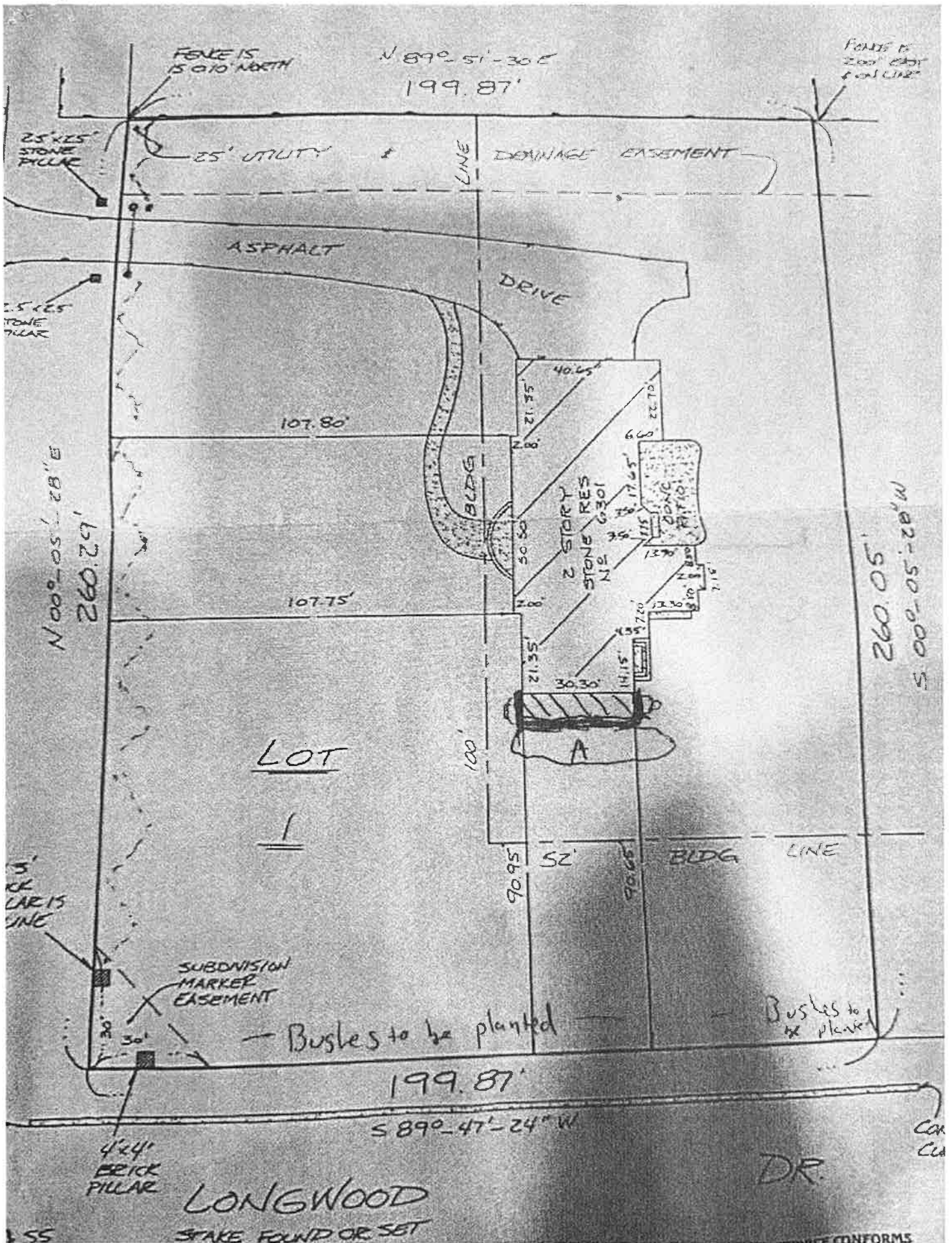
LOT 1 IN MACDIARMID AND PALUMBO'S "LONGWOOD", BEING A RESUBDIVISION OF LOT 3 IN EASTVIEW ACRES SUBDIVISION OF SECTION 18, AND LOT 1 IN VICKERY'S MAYBROOK ACRES IN SECTION 19, TOGETHER WITH VACATED 63RD STREET ADJACENT TO SAID LOTS, IN TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.




STATE OF ILLINOIS } SS
 COUNTY OF WILL


WE, ARS SURVEYING SERVICE LLC, AN ILLINOIS PROFESSIONAL DESIGN FIRM, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

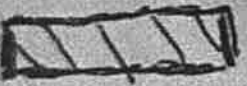
5TH

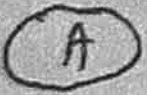



Key:

 = Gate

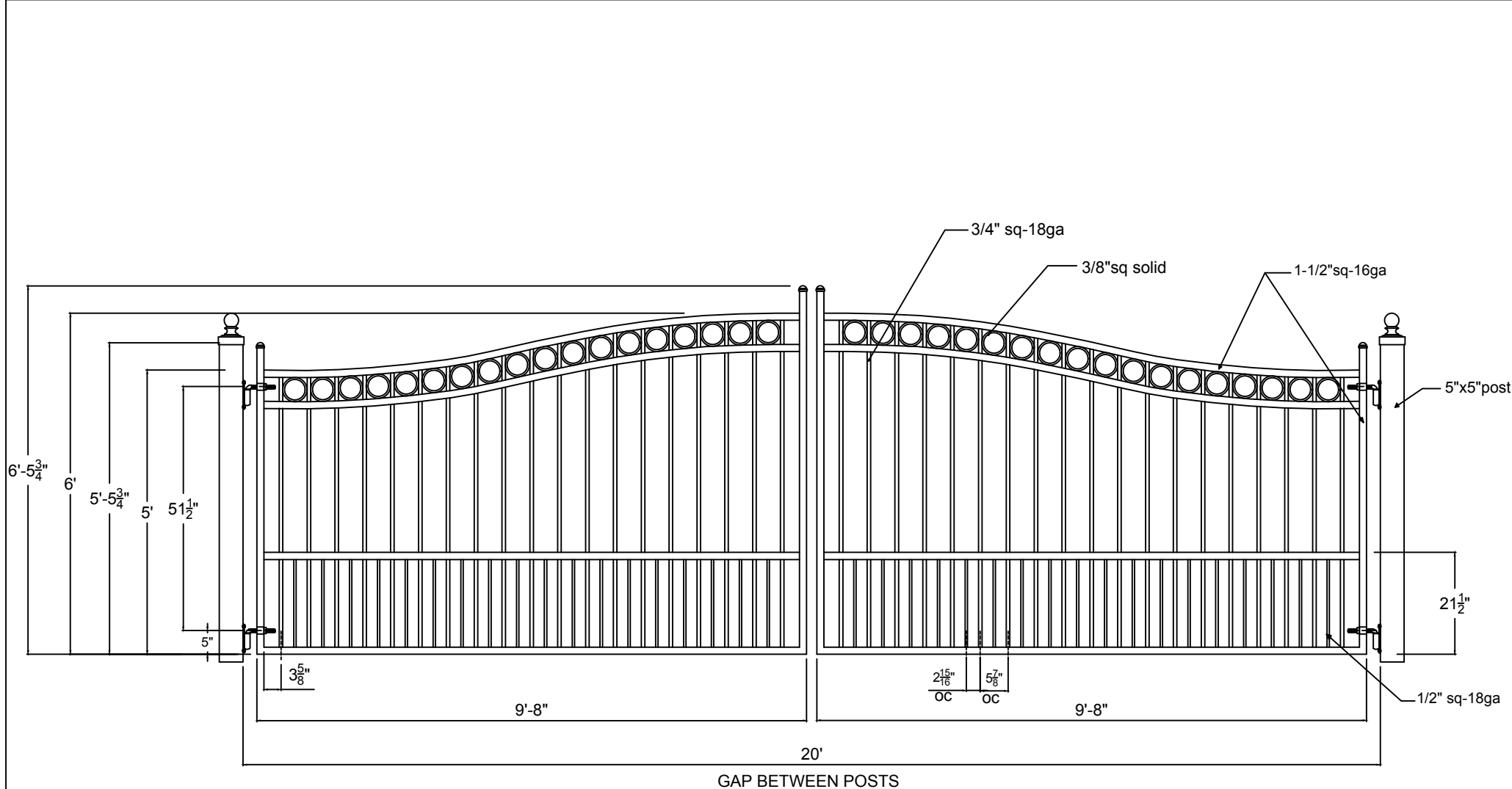
 = Fence

 = 10'-12' x 30'-32' deck

 = Shade tolerant
Hydrangea shrubs

 = Stairs





AMAZING GATES



SONO-BP-20

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

P.O. No.	Customer Phone	Customer E-mail	
	630-202-6965	reyzaffar@gmail.com	
Item	Description	Qty	
AGAFAB-HYD...	CUSTOM HYDE PARK BI-PARTING DRIVEWAY GATE; OPENING BETWEEN POSTS 20' WIDE X 5'6" HIGH WITH BLACK POWDER COAT FINISH - SMOOTH TOP NO SPEAR POINTS	1	
HDW-DH-DRV...	DRIVE GATE JBOLT HINGES WITH MOUNTING PLATE (PAIR)	2	
DH-POST-5" H...	5" X 5" X 8'2" HINGE POST FOR DRIVE GATES - GALVANIZED, PC BLACK	2	
DH-CAP-BALL...	BALL CAP FOR 5" POST	2	
GM-AG900HD...	AMAZING GATES AG-900HD DUAL GATE OPERATOR WITH METAL CONTROL BOX, ON-OFF SWITCH, 2 WARNING SIGNS, RADIO RECEIVER AND 2 TRANSMITTERS	1	
DISCOUNT - S...	OCTOBER DISCOUNT		
GM-KEYPAD...	GATEMASTER WIRELESS 2 CHANNEL	1	

View from our home 6301
Northbound



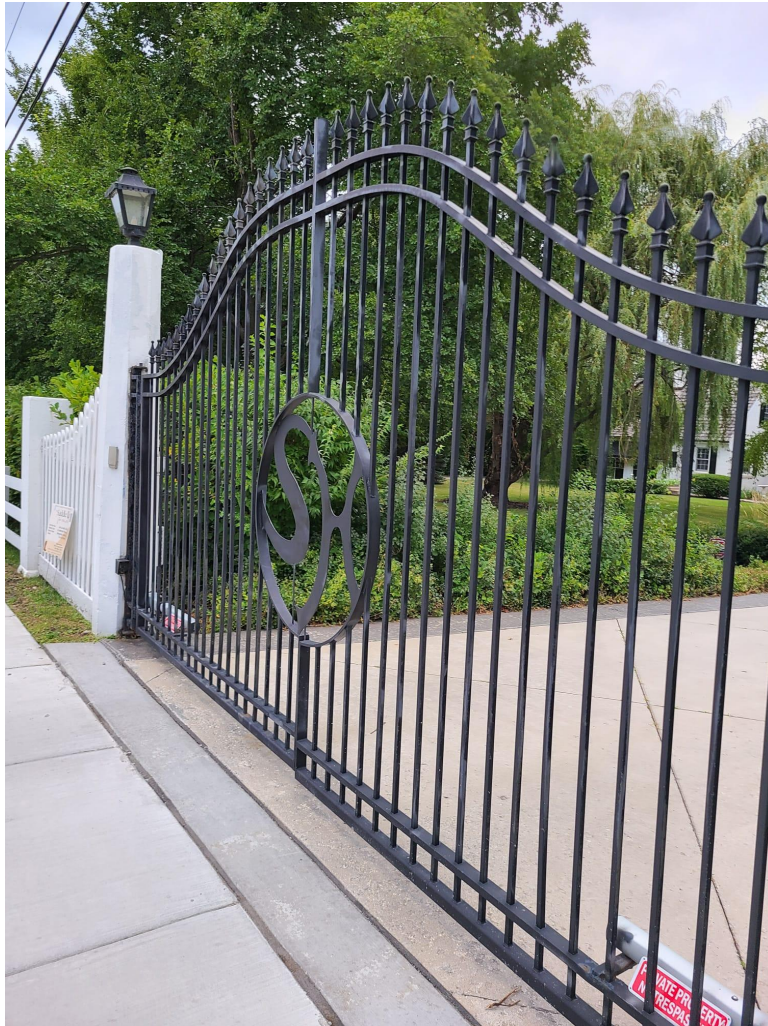
Southbound



Burr Ridge Club Fence across the street from us



6191 County Line neighbor immediately to the north of us



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



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



6161 County Line gate #2



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





Zaffar

6301 S County Line Rd

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

Fence
material

5' height
No
impalers



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

Over 7' base height



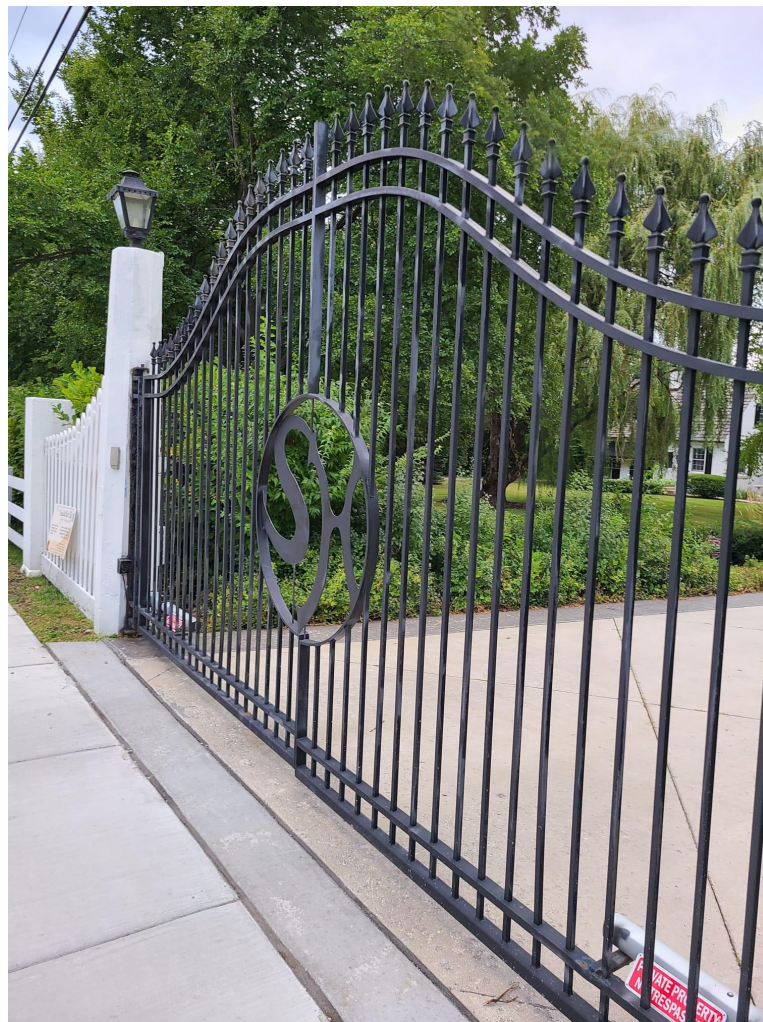
6116 S County Line Rd
Wrought iron fence with
entangled hedges



Neighbor #2
Fence



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



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

Our goal: have a similarly
situated barrier for
continuity.



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

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



Existing exposure
to our yard from
County Line Rd.



Existing exposure to
our yard from County
Line Rd.



Existing exposure to
our yard from County
Line Rd.



Existing exposure to
our yard from County
Line Rd.



Current stone pillar height: 7'



Original
proposed
fencing setback

23' feet from
County Line Rd



Original proposed setback
23' feet from County Line Rd



23' from road

30' from road

35' from road



30' from "easement"



View of
relative gate
locations
compared to
adjacent
properties.



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

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

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

6116: Gate, fence

6161: Gate, hedge

6191: gate, fence

6301: (our property)

6333: n/a

6330: gate, new trees

6503: gate, trees

6545: gate, fence

6547: gate, fence

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



**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

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

Street Address of Subject Property:

6301 South County Line Road, Burr Ridge IL

Property Owner or Petitioner:

Rey Zaffar and Haley Zaffar

(Print Name)

X Haley Zaffar Rey Zaffar
(Signature)

Jun 27, 2023 at 12:47:13 PM
1-5 Longwood Dr
Burr Ridge IL 60527
United States



Jun 27, 2023 at 12:48:37 PM
6301 S County Line Rd
Burr Ridge IL 60527
United States





LEGAL NOTICE OF PUBLIC HEARING

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

PURPOSE OF HEARING

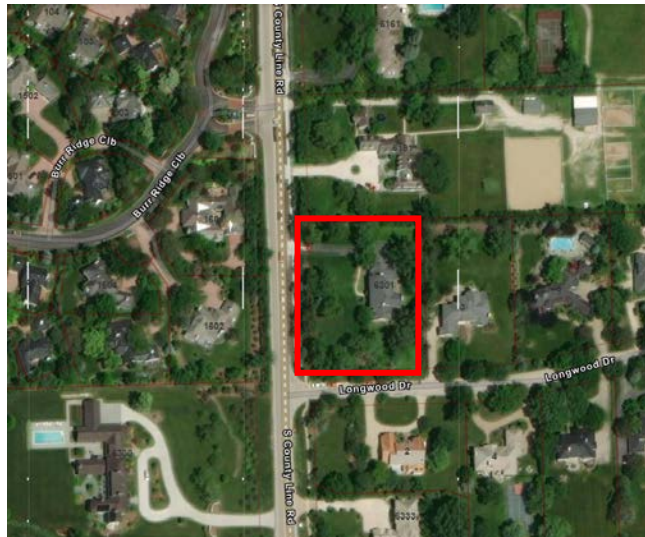
The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider requests by Rey and Haley Zaffar for four (4) variations from Zoning Ordinance Section IV.I to permit a deck in the front yard, a driveway gate on a parcel less than two acres in lot area, a driveway gate exceeding 6 ft.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

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, July 11, 2023. All public comment may be emailed to Community Development Director Janine Farrell (jfarrell@burr-ridge.gov) or mailed to Ms. Farrell's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

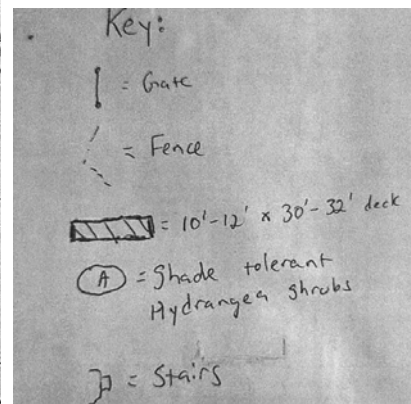
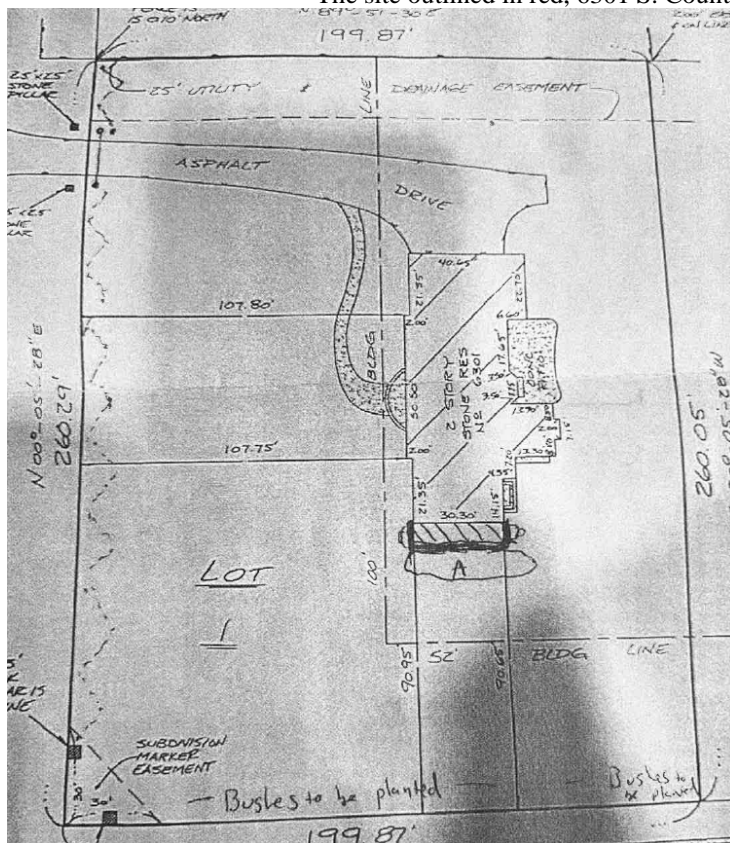
BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

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



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



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

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

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/index.php

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

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

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/agendas_minutes.php

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

304 BURR RIDGE CLUB DRIVE
304 BURR RIDGE CLB
BURR RIDGE, IL 60527

ARISTOTLE HALIKIAS
2221 CAMDEN CT #200
OAK BROOK, IL 60523

AUVEEK BASU
9 LONGWOOD DR
BURR RIDGE, IL 60527

BENISH, ELLEN
301 BURR RIDGE CLUB
BURR RIDGE, IL 60527

BIRCK, CHRISTOPHER & C
1564 MARQUETTE AVE
NAPERVILLE, IL 60565

BOSSY, DEBORAH J
1103 BURR RIDGE CLUB
BURR RIDGE, IL 60527

BRENNAN, JOHN L
1601 BURR RIDGE CLB
BURR RIDGE, IL 60527

Burr Ridge Club HOA
c/o Dennis Regan
501 Burr Ridge Club Drive
BURR RIDGE, IL 60527

Burr Ridge Meadows HOA
c/o Richard K. Morley
69 Tomlin Circle
BURR RIDGE, IL 60527

CABERNET COURT SUB HOA c/o
MARINA GOMOPOULUS
77 CABERNET CT
BURR RIDGE, IL 60527

CANTIN, PAULINE A
86 S CABERNET CT
BURR RIDGE, IL 60527

CATALANO, CHRIS & MARY
1602 BURR RIDGE CLUB
BURR RIDGE, IL 60527

CHICAGO TITLE 8002388242
202 BURR RIDGE CLUB
BURR RIDGE, IL 60527

CHRIS RIMBOS
6402 PINECREST DR
BURR RIDGE, IL 60527

CHUNG WU
2 LONGWOOD DR
BURR RIDGE, IL 60527

CIMALA, R & E MCLAUGHLIN
1501 BURR RIDGE CLUB
BURR RIDGE, IL 60527

CONNOR, DAVID & CHRISTINE
89 S CABERNET CT
BURR RIDGE, IL 60527

COX, JOHN L & MARY JO
1207 BURR RIDGE CLUB
BURR RIDGE, IL 60527

DAVID SCHMIEGE
117 TOMLIN CR
BURR RIDGE, IL 60527

DELANEY, MICHAEL M
1502 BURR RIDGE CLB
BURR RIDGE, IL 60527

ESLER, CHARLES & MARTHA
1102 BURR RIDGE CLB
BURR RIDGE, IL 60527

FU, MEIMEI
1604 BURR RIDGE CLUB
BURR RIDGE, IL 60527

GARIBOTTI, JEANNEMARIE
1204 BURR RIDGE CLUB
BURR RIDGE, IL 60527

GIBBONS, MICHAEL & ERIN
6330 COUNTYLINE RD
BURR RIDGE, IL 60527

GOMOPOULOS, PETER & MARINA
77 S CABERNET CT
BURR RIDGE, IL 60527

GRAYHECK TR, NANCY
103 BURR RIDGE CLUB
BURR RIDGE, IL 60521

GREENSPON, STEVEN B
6307 S ELM ST
BURR RIDGE, IL 60527

GROOT, LAWRENCE A & DAWN
1232 ORANGE CT
MARCO ISLAND, FL 34145

HAASE, DALE & LESLYE
104 BURR RIDGE CLUB
BURR RIDGE, IL 60521

HANNA & GLORIA WAKIM
6333 S COUNTY LINE RD
BURR RIDGE, IL 60527

HARDEK, ANN MARIE TR
105 BURR RIDGE CLUB
BURR RIDGE, IL 60521

HAYES JR TR, JAMES D
68 S CABERNET CT
BURR RIDGE, IL 60527

HIGGINS, SARAH
1206 BURR RIDGE DR
BURR RIDGE, IL 60527

HILL, GENE R TRUST
111 W MONROE ST
APT. 12 W
CHICAGO, IL 60603

IA Y SABA TRUST AGREEM
PO BOX 7075
VILLA PARK, IL 60181

INTER CONTL BURR RIDGE
2221 CAMDEN CT #200
OAK BROOK, IL 60523

JACQUELINE LAASE PARRI
6191 S COUNTY LINE RD
BURR RIDGE, IL 60527

JOHN GILMORE
8 LONGWOOD DR
BURR RIDGE, IL 60527

JOHN L PIETRZAK
7 LONGWOOD DR
BURR RIDGE, IL 60527

JOHNSTON, JULIE N
1405 BURR RIDGE CLB
BURR RIDGE, IL 60527

JOSEPH & MARY MULLEN
101 TOMLIN CIRCLE
BURR RIDGE, IL 60527

KALBER, BETTY TR
302 BURR RIDGE CLUB
BURR RIDGE, IL 60521

KASSAR, AMER
41 S CABERNET CT
BURR RIDGE, IL 60527

KEVIN CAPLIS
125 TOMLIN CIRCLE
BURR RIDGE, IL 60527

KING BRUWAERT WOODS HOA
6101 S COUNTY LINE RD
BURR RIDGE, IL 60527

LEMBO, MICHAEL & REBECCA
1203 BURR RIDGE CLB
BURR RIDGE, IL 60527

LIND, DAVID R
1402 BURR RIDGE CLUB
BURR RIDGE, IL 60527

LINDA G MEEHAN
6401 COUNTY LINE RD
BURR RIDGE, IL 60527

LINN, GORDON & JUDITH
1503 BURR RIDGE CLB
BURR RIDGE, IL 60527

LIU, CHUANBO & XIAOLIAN
6 WOODGATE DR
BURR RIDGE, IL 60527

LUKE MASSERY & ALICIA
109 TOMLIN CIR
BURR RIDGE, IL 60527

MACRIE, ROBERT & SARI
1404 BURR RIDGE CLB
BURR RIDGE, IL 60527

MALLOY, PATRICIA A
1205 BURR RIDGE CLUB
BURR RIDGE, IL 60527

MALONEY, EDWARD&ELIZABETH
102 BURR RIDGE CLUB
BURR RIDGE, IL 60527

MARIA M REDONDO
5 LONGWOOD DR
BURR RIDGE, IL 60527

MATTHEW WALSH
11820 PLAINFIELD RD
BURR RIDGE, IL 60527

MILLER, MARCIA L
101 BURR RIDGE CLUB
BURR RIDGE, IL 60521

MOTTL, GLEN J
6309 ELM ST
BURR RIDGE, IL 60521

NATHAN BROWN
4 LONGWOOD DR
BURR RIDGE, IL 60527

NORTHERN TRUST
50 S LASALLE ST
APT. FL 3RD
CHICAGO, IL 60603

PATRICIA HALIKIAS
2221 CAMDEN CT #200
OAK BROOK, IL 60523

PAUL NAFFAH
6161 COUNTY LINE RD
BURR RIDGE, IL 60527

REGAN, JEAN H
321 S ELM ST
HINSDALE, IL 60521

ROUMEN GUEORGUIEV
6 LONGWOOD DR
BURR RIDGE, IL 60527

RYAN, JUDITH C
1101 BURR RIDGE CLUB
BURR RIDGE, IL 60521

S & K KOULERMOS
85 TOMLIN CIR
BURR RIDGE, IL 60527

SAMAD, MARWAN
6116 COUNTY LINE RD
BURR RIDGE, IL 60527

SINGER, CANDACE S
701 BURR RIDGE CLUB
BURR RIDGE, IL 60527

SMOTHERS, BRUCE
1202 BURR RIDGE CLUB
BURR RIDGE, IL 60521

STEFAN, J WILLIAM
201 BURR RIDGE CLUB
BURR RIDGE, IL 60527

STEINBARTH, RALPH H
1401 BURR RIDGE CLUB
HINSDALE, IL 60521

STOUT, ANN T
203 BURR RIDGE CLB
BURR RIDGE, IL 60527

RESIDENT
6181 COUNTY LINE RD
BURR RIDGE, IL

THOMAS K MEEHAN
6401 S COUNTY LINE RD
BURR RIDGE, IL 60527

VAN VLYMEN, DOUGLAS & C
1106 BURR RIDGE CLUB
BURR RIDGE, IL 60527

WATKA TR, LYNNE
441 N MAIDEN
LAGRANGE PARK, IL 60526

WILLIAM E GERWING
3 LONGWOOD DR
BURR RIDGE, IL 60527

WITZ, WILLIAM
1403 BURR RIDGE CLB
BURR RIDGE, IL 60527

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

EXHIBIT B

ORDINANCE NO. A-454-4-84

AN ORDINANCE GRANTING VARIATION (DOLEMBA)

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

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

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

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

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

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

a. That the property is commonly known as 6116 County

Line Road, Burr Ridge, Illinois, 60521.

b. That the variation if granted would not alter the essential character of the locality nor deteriorate property values; similar type fences are already located in the same general vicinity on County Line Road.

c. That the plight of the owner is due to unique circumstances due to its location on the corner of County Line Road and Woodgate Drive and the increased vehicle traffic caused therefrom requiring fencing.

d. That the conditions upon which the petition for variation is based would not be applicable generally to the other property within the same zoning district.

e. That adherence to the strict letter of the applicable zoning regulation would impose a hardship upon the owner of the subject real estate due to owner's elderly mother-in-law's need of protection from vehicles using the owner's driveway to cut through his corner lot. The owner's mother-in-law lives with owner and often walks in the yard.

f. That the property cannot yield a reasonable return if the variation is not granted because of the problems caused by vehicles and dogs going through the property.

g. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, and will enhance the other neighboring properties in that the materials chosen for the fence to be constructed will enhance the appearance of the property.

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

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

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

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

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

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

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

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

PASSED this 24th day of September, 1984, by the following roll call vote:

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

NAYS: 0 - None

ABSENT: 0 - None

APPROVED this 24th day of September, 1984, by the President of the Village of Burr Ridge.


Village President

ATTEST:


Village Clerk

ORDINANCE NO. A-454-16-93

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

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

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

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

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

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

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

- a. That the Petitioner for the variation for and Owner of the Subject Property located at 6401 County Line Road, Burr Ridge, Illinois, is John Schmidt (hereinafter "Petitioner"). The Petitioner requests the following variations for the Subject Property:
- i. a variation to permit a fence to be located forward of the rear wall of the principal building rather than behind the rear wall of the principal building as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
 - ii. a variation to permit a fence to be located in the front and corner side yard abutting the west and south property lines (Plainfield and County Line Roads), rather than fences not extending nearer to the corner side lot line than the corner side yard line as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance;
 - iii. a variation to permit a portion of the fence to be a six foot, solid cedar fence, rather than a five foot, fifty percent open fence as required by Section IV.I.4. of the Burr Ridge Zoning Ordinance; and
 - iv. a variation to permit a portion of the fence to include chain link, whereas Section IV.I.4 of the Burr Ridge Zoning Ordinance prohibits chain link fences.
- The requested variations would allow the property to remain protected from the increased elevations of Plainfield and County Line Roads.
- b. That the plight of the Petitioner is due to unique circumstances. The Subject Property is located at the intersection of Plainfield and County Line Roads, which intersection has been improved by the Cook County Highway Department. The improvements by the County Highway Department have raised the level of the highway to approximately 5 feet above the level of the Subject Property. This highway construction has also removed the vegetative screen previously located in the right-of-way which the Petitioner relied upon to screen the house from traffic. Further, the split rail and split rail and chain link fence have existed in a similar location for a number of years. The improvements to the rights-of-way required this existing fencing to be relocated further into the Petitioner's property.
- c. That the variation will not alter the essential character of the locality. Petitioner represented that there are other six foot solid fences within the surrounding neighborhood. Petitioner further noted that the fence will extend only four to four and one-half feet above the surface of the improved rights-of-way of Plainfield and County Line Roads and, therefore, will not have any impact upon the surrounding properties.

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

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

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

said subject real estate is legally described as follows:

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

FAS
09/23/93

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

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

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

PASSED this 27th day of September, 1993, by the
Corporate Authorities of the Village of Burr Ridge on a roll call
vote as follows:

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

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the President of the Village of Burr Ridge on this
27th day of September, 1993.


Village President

ATTEST:


Village Clerk

PC\B:\ORD\SCHMIDT.VAR

ORDINANCE NO. A-834-07-13

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

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

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

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

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

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

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

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

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

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

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

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

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

Number of 18-19-103-051.

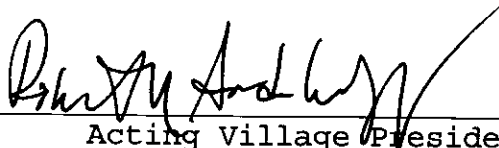
Section 4: That the variation is subject to compliance with the submitted plans attached hereto as Exhibit A.

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

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

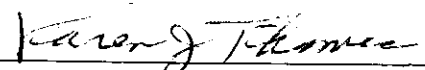
AYES:	4	-	Trustees Grela, Franzese, Paveza, Ruzak
NAYS:	0	-	None
ABSENT:	2	-	Trustees Wott, Manieri

APPROVED by the President of the Village of Burr Ridge on this 22nd day of April, 2013.



Acting Village President

ATTEST:



Village Clerk

ORDINANCE NO. A-834-25-13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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


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

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

NAYS: 0 - None

ABSENT: 0 - None

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



Village President

ATTEST:



Village Clerk

ORDINANCE NO. A-834-26-13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NAYS: 0 - None

ABSENT: 0 - None

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

Myrtle Strunk
Village President

ATTEST:

Kare J. Thomas
Village Clerk

ORDINANCE NO. A-834-33-11

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 4: That the variation is subject to compliance with the following conditions:

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

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

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

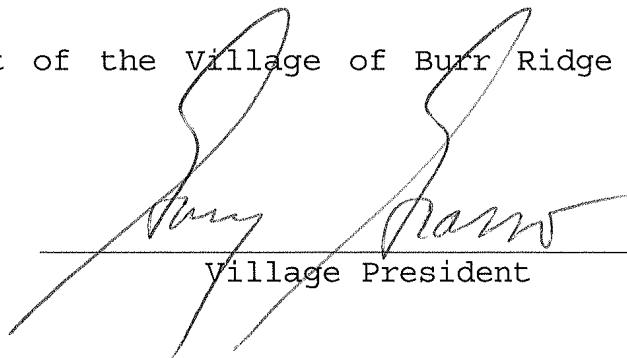
PASSED this 28th day of November, 2011, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

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

NAYS: 1 - Trustee Wott

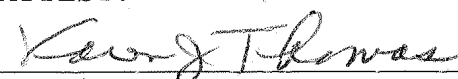
ABSENT: 0 - None

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



Village President

ATTEST:



Village Clerk

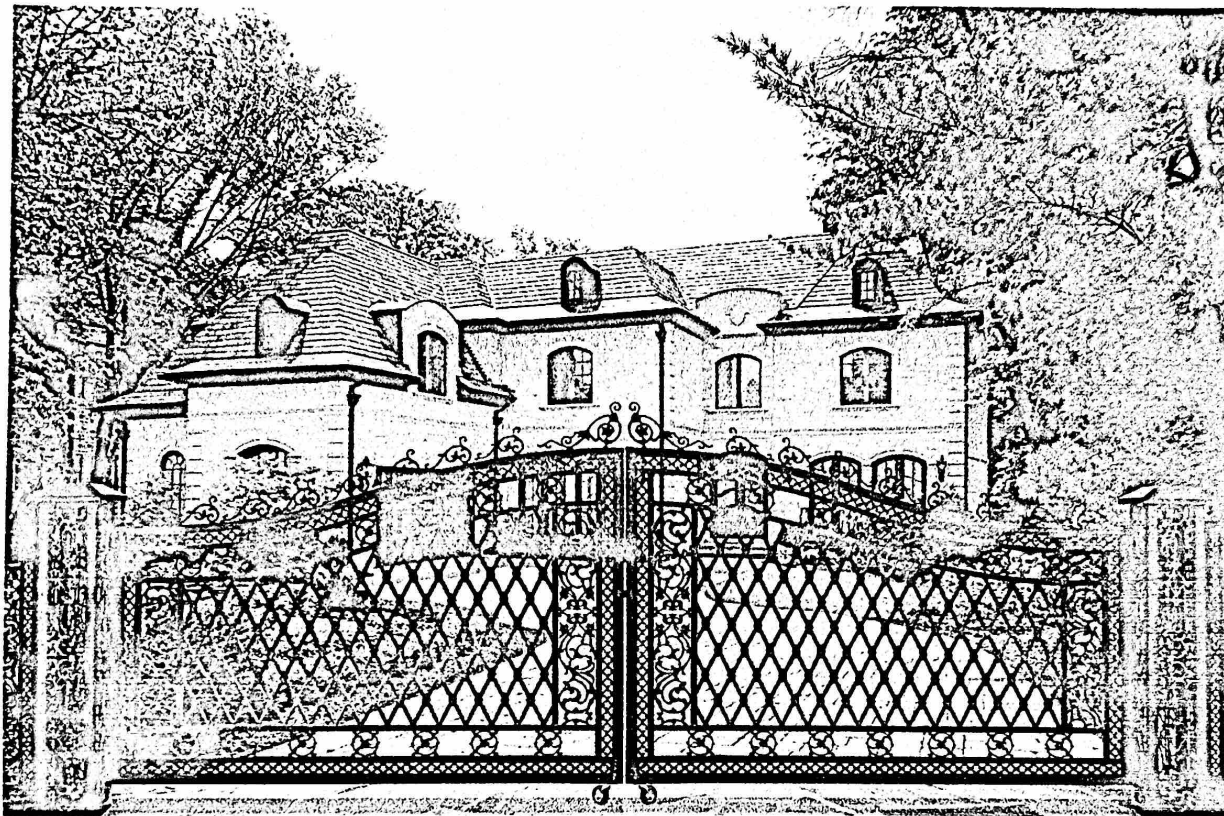
EXHIBIT C

October 8, 2023

Hi Neighbor!

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

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



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

Thank you for your support!

Name:

Address:

Emily Beaten

4 Longwood Dr. Burr Ridge, IL 60527

Eugenia Taigerova

6 Longwood Dr. Burr Ridge, IL 60527

Kelly Basu 9 Longwood Dr, Burr Ridge, IL 60527

MARIA REDDO 5 LONGWOOD DR.

Charlotte Lehman 8 Longwood Dr -

Helene Gerwig 3 Longwood Drive



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

V-02-2024: 15W627 89th Street (Eshghy); Variations and Findings of Fact; Request 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.

HEARING:

March 4, & May 6, 2024

TO:

Plan Commission
Greg Trzupek, Chairman

FROM:

Ella Stern, Planner

PETITIONER:

Curtis Eshghy

PETITIONER STATUS:

Owner

PROPERTY OWNER:

Curtis Eshghy

EXISTING ZONING:

R-2B Single-Family
Residential

LAND USE PLAN:

Recommends Single-
Family Residential

EXISTING LAND USE:

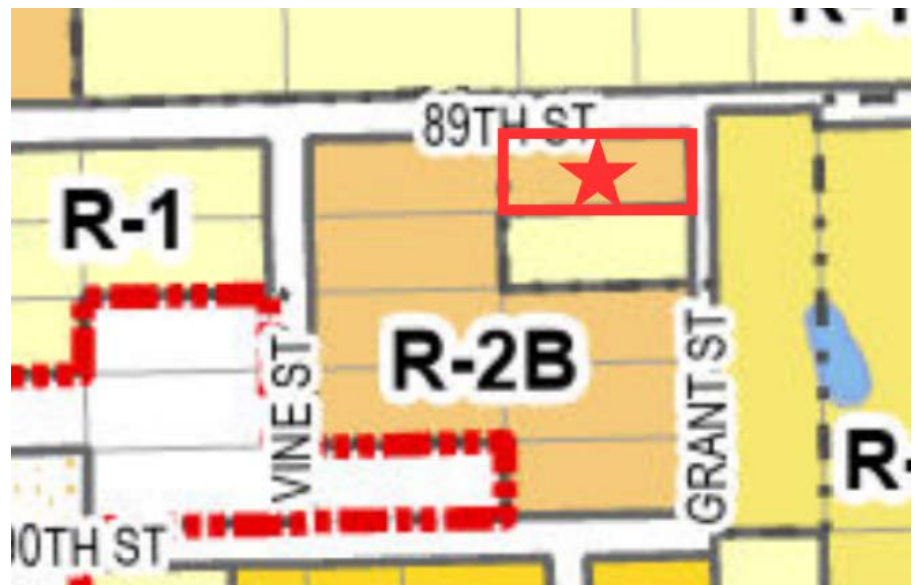
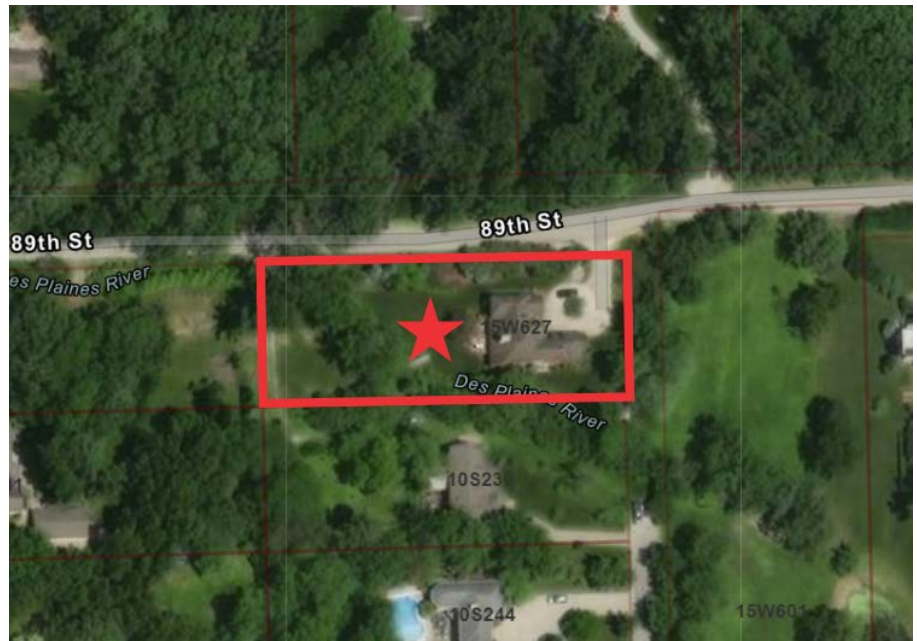
Single-Family Residence

SITE AREA:

± 35,283 sq. ft. / 0.81 acres

SUBDIVISION:

N/A



On March 4, 2024, the Plan Commission held a public hearing for case V-02-2024. At the meeting, the petitioner presented an updated Plat of Survey illustrating the fence located 20 feet from the corner side yard rather than 2 feet, as shown in the staff report packet. The Commission continued the case and requested the petitioner submit an updated Plat of Survey containing only the components for the variation request. On April 22 and 26, 2024, staff emailed the petitioner, requesting updated information and documents. The petitioner did not provide any new documents at the time of this report. The following information was included in the previous staff report and remains unchanged.

The petitioner is Curtis Eshghy, the owner. The petitioner requests 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 feet off the property line deviating from the 40-foot minimum regulation, (2) a patio within the corner side yard setback, and (3) a swimming pool within the corner side yard setback. Grant Street serves as the front property line, and 89th Street serves as the corner side yard. The property was annexed into the Village of Burr Ridge in 2015. It is important to note that the house does not comply with the R-2B Single-Family Residence setback regulations. The house is setback 30' from the property line, deviating from the 40-foot minimum regulation. According to Downers Grove Township Assessor records, the house was constructed in 2004 while the property was unincorporated.



Aerial of the property with the property lines.

The pool, patio, and fence currently exist on the property and were built without a permit. On August 4, 2023 a stop work was posted on the property for the petitioner constructing this fence without a building permit. The petitioner violated the stop work order and completed the construction. The petitioner applied for a permit on September 11, 2023, but it was denied. Staff and the petitioner met on October 24, 2023 to discuss the permit and provide options regarding the construction. On November 13, 2023, after a stop work order was posted, the petitioner continued with the construction of a pool, hot tub, patio, fence, landscape berm, and paver walk that had been started and or finished without acquiring an approved permit from the Village of

Burr Ridge. On December 6, 2023 and January 3, 2024, the petitioner was scheduled for adjudication and did not appear. On January 25, 2024 the petitioner applied for a variance.



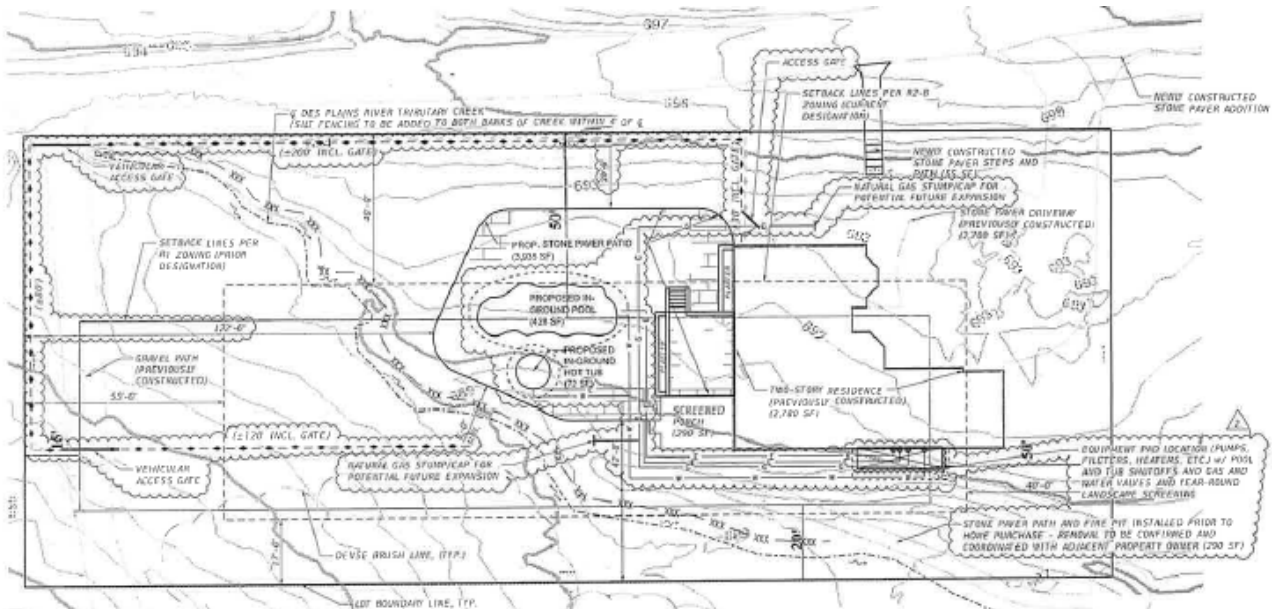
Illustration of the existing fence, patio, and pool.

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

- Zoning Ordinance Section IV.J:
 - Fences (IV.J.1.b.):
 - Fences in residential districts shall be not more than five feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence. *The fence is 5' and complies.*
 - Such fences shall be permitted, unless otherwise provided herein, along the rear lot line and along the side lot lines extending no further toward the front of the lot than the rear wall of the principal building on the lot. Except, however, on corner lots such fences shall extend not nearer to the corner side lot line than the required corner side yard setback. (Amended by Ordinance A-834-13-11). *The petitioner is requesting a 2-foot setback on the corner side yard, deviating from the 40-foot minimum regulation.*
 - All fence posts and all supports must face the interior of the property on which it is located. *The fence faces the interior of the property and complies.*
 - Chain link, barbed wire and fences which are electrically charged to produce a shock when touched are specifically prohibited. No fence shall have any sharp, dangerous, or impaling members. *The fence is wooden and complies.*
 - All fences in residential districts shall be open fences as defined by Section XIV and as depicted below (Amended by Ordinances A-834-09-01 and A-834-13-11). Open fences are defined as a fence, including gates, which has, for each one-foot-wide segment extending over the entire length and height of the fence, 50 percent of the surface area in

open spaces which afford direct views through the fence. *The fence is 50% open and complies.*

- Zoning Ordinance Section IV.I.34:
 - Terraces, Patios, and Decks (IV.I.34)
 - Terraces, patios, and decks may be located in a side buildable area, a rear buildable area or a courtyard and are also permitted in the required rear yard, but not closer than 10 feet to the lot line.
- The petitioner is requesting a 20-foot setback on the corner side yard, deviating from the 40-foot minimum regulation.*
- Zoning Ordinance Section IV.H:
 - Setback and Location of Accessory Buildings and Structures (IV.H.4):
 - Accessory buildings and structures shall be setback a minimum of 10 feet from a rear lot line and shall comply with the minimum interior side and corner side yard setback of the zoning district in which the accessory building or structure is located except as may otherwise be specifically permitted in Section IV.I of this Ordinance. *It appears the swimming pool is directly on the 40' setback line. Staff included the variation request in the event that the pool is slightly over the setback line.*



Site plan of the existing fence, patio, and pool.

Public Hearing History

Z-01-2003: Pre-Annexation agreement (Ordinance 950)

The property was annexed into the Village of Burr Ridge in 2015. (Ordinance 1145)

The property was rezoned from R-1 Single Family Residence to R-2B Single Family Residence. (Ordinance #A-834-06-23)

Public Comment

One public comment was received and is included as an attachment.

Findings of Fact and Recommendation

The petitioner has provided findings of fact, which the Plan Commission may adopt if in agreement with those findings. The Plan Commission may wish to make one motion for the three variation requests or separate them into individual motions. If the Plan Commission chooses to recommend approval of V-02-2024, a request 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., staff recommends the following condition:

1. The fence, patio, and pool shall substantially comply with the plans submitted by the petitioners and included as Exhibit A.

Appendix

Exhibit A - Petitioner's Materials and Public Notifications

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

Exhibit B – Public Comment

Exhibit C - Ordinance 950, Ordinance 1145, & Ordinance #A-834-06-23



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): Curtis Eshghy

STATUS OF PETITIONER: Homeowner

PETITIONER'S ADDRESS: 15w627 89th St.

ADDRESS OF SUBJECT PROPERTY: 15w627 89th St.

PHONE: 331-775-6666

EMAIL: cnroofs@gmail.com

PROPERTY OWNER: Curtis Eshghy

PROPERTY OWNER'S ADDRESS: 15w627 89th st PHONE: 331-775-6666

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

DESCRIPTION OF REQUEST:

Setback variances

PROPERTY INFORMATION (to be completed by Village staff)

PROPERTY ACREAGE/SQ FOOTAGE: 0.81 acres EXISTING ZONING: R-2B


EXISTING USE/IMPROVEMENTS: Single-Family Residence

SUBDIVISION: N/A

PIN(S) # 10-01-102-000-0000

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


Petitioner's Signature


Date of Filing



Findings of Fact - Zoning Variation
Burr Ridge Zoning Ordinance

Address:

15w627 89th St.

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

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

Due to the zoning, it appears that the home prior to my purchase of it, violated certain setbacks. Because of this, many inquiries were made to determine Where the patio limit should be. It was decided and Village engineering that a variance would be required to build the patio to be built much further from the south. It was discussed that a deviation/variation would be required in order to gain approval to build the patio to extend. The stream that crosses the property in the backyard, and the setbacks imposed by the zoning have really made the property unbuildable, however, I respectfully request that a consideration be made for this special case. I look forward to elaborating on this point, if consideration of my case is made.

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

The property is zoned as a corner lot, however, the as built conditions of the site are not that of a corner lot. It seems that historically the residence has been used and built upon while widely ignoring the bulk zoning requirements. I had purchased this property legally, and the home extended beyond the northerly setback line prior to me constructing the patio. I request this variation because it doesn't seem Reasonable to build a patio, such constraint and geometry of the setbacks would really make the use of the property incredibly limited.

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

The geometric constraints are definitely specific at this residence, and the uniqueness of the property Have caused me to seek the variation to allow me to maintain what I've mistakenly built at great expense to

The erroneous, early beginning of the construction was my fault, and I am happy, making good on any fees due to the village as a result of this.

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

The purpose of the variation request is to build a beautiful residence in a beautiful and to provide an Commentating backyard for my growing family. I believe that all of the improvements should satisfy all Residence, and Village Personnel. My intent is to be in this community to raise a family, and contribute to it.

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

I accept that this was done the wrong way, and the improvements should've followed proper channels. I acknowledged the statement above and can assure you that the variation request is not the result of other parties, having interest in the property.

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

Granting of this variation in my belief. The improvements done on the property would raise value within the neighborhood. The layout of the patio is a logical one and is not Gardi in anyway. The improvements We all planned to beautify the property and make it more functional. No other intent

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

The improvements are in line with Jason properties. Prior to the improvements, the property Functionality and beauty, that the adjacent properties maintain

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

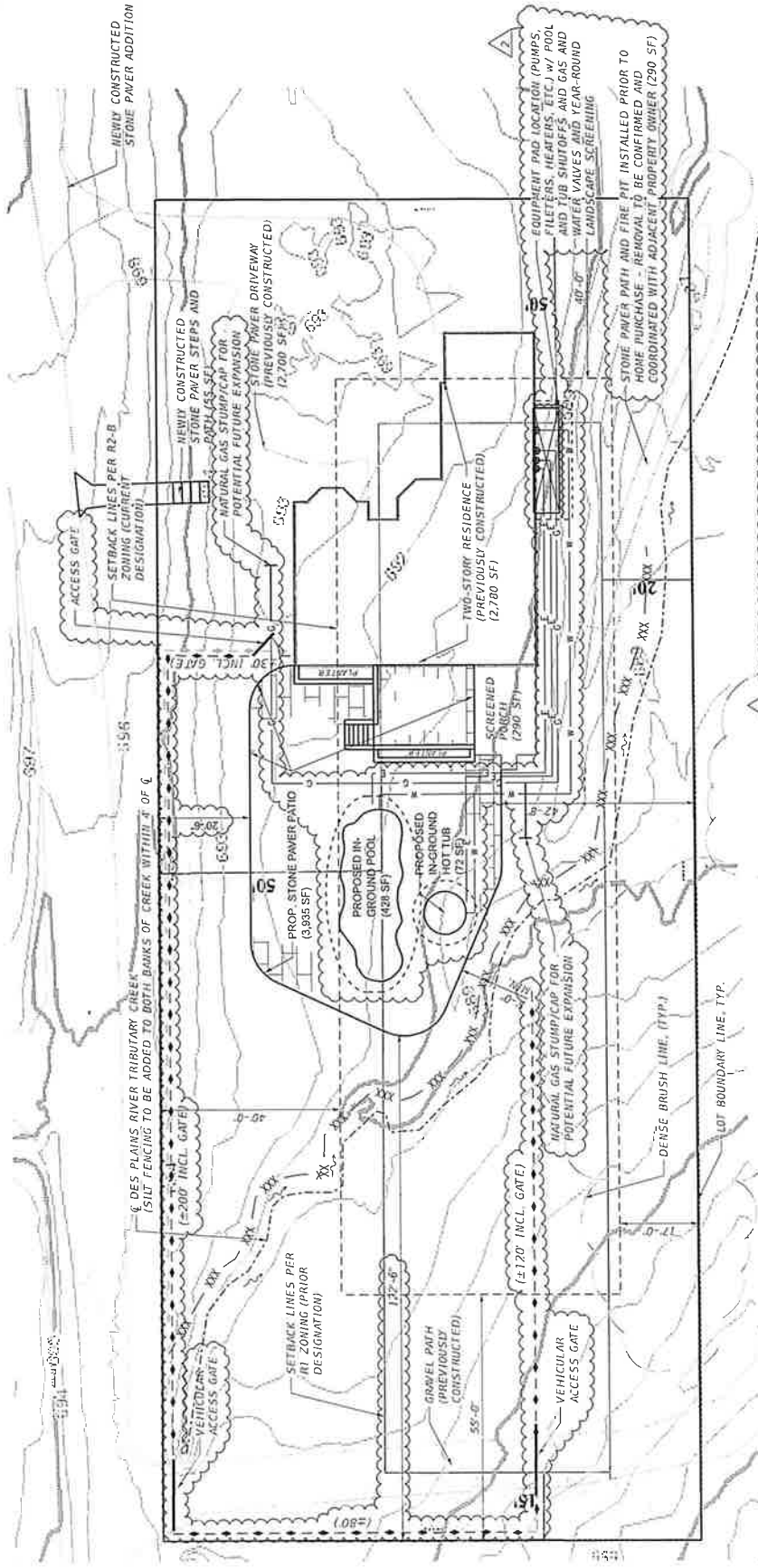
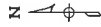
The statement above is 100% accurate

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

True

LEGAL DESCRIPTION

LOT 1, IN URBAN DAKDALE MANOR, A SUBDIVISION ON THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931, AS DOCUMENT 316521, IN DUPAGE COUNTY, ILLINOIS.



GENERAL NOTES

1. ALL WORK SHALL BE DONE PER 2012 INTERNATIONAL RESIDENTIAL CODE, 2011 NATIONAL ELECTRIC CODE AND THE 2014 ILLINOIS PLUMBING CODE.
2. LANDSCAPE RESTORATION WITH SOIL OR SEED AND EROSION CONTROL BLANKET, WILL BE INSTALLED IF REQUIRED UPON CLOSING THE PERMIT.
3. ANY EXCAVATED MATERIAL REMAINING AFTER INSTALLATION OF CONSTRUCTION TUB AND PATIO WILL BE REMOVED FROM THE SITE BY THE CONTRACTOR PERFORMING THE WORK. FINISHED GRADING WILL FOLLOW THE CONTOURS OF THE EXISTING YARD.
4. THE WEST TERMINATION POINT OF TEMPORARY CHAIN LINK CONSTRUCTION FENCING IS WHERE THE SITE ACCESS IS PROPOSED. IF SITE IS VACATED, ACCESS SHALL BE LOCKED OFF.

PLAN

1. TOTAL LOT AREA (PER PROPERTY RECORDS) = 35,284 SF
2. 10,510 SQUARE FEET (29.8% OF TOTAL LOT AREA COVERED) INDICATED FOR PORTIONS OF IMPERVIOUS AREAS WITHIN THE PROPERTY LIMITS ONLY

LEGEND

- E BURIED ELECTRIC (1" DIA. PVC, 20' MIN. BELOW GRADE)
- G BURIED GAS (1" DIA. BLACK POLYETHYLENE, 20' MIN. BELOW GRADE)
- W BURIED WATER (1" DIA. PVC, 20' MIN. BELOW GRADE)
- PERMANENT POOL SAFETY FENCING (5' H. BLACK PICKET ALUMINUM)
- - - - - TEMPORARY 7' CHAIN LINK CONSTRUCTION FENCING



Yard Requirements
1) Permitted Uses

Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
40' Feet	10' Feet	40' Feet	55' Feet

Scale - Owner's detached driveway.

ISSUE #	DATE	DESCRIPTION
1	10/20/2023	SUBMITTED FOR APPROVAL
2	10/20/2023	REVISION 1 (UPDATED 10/20/23 W/ NEW CLOUD)

PREPARED BY WILLIAM BAKOS
229 GINGERBROOK LANE BARTLETT, IL 601
IL P.E. NO. 062071134

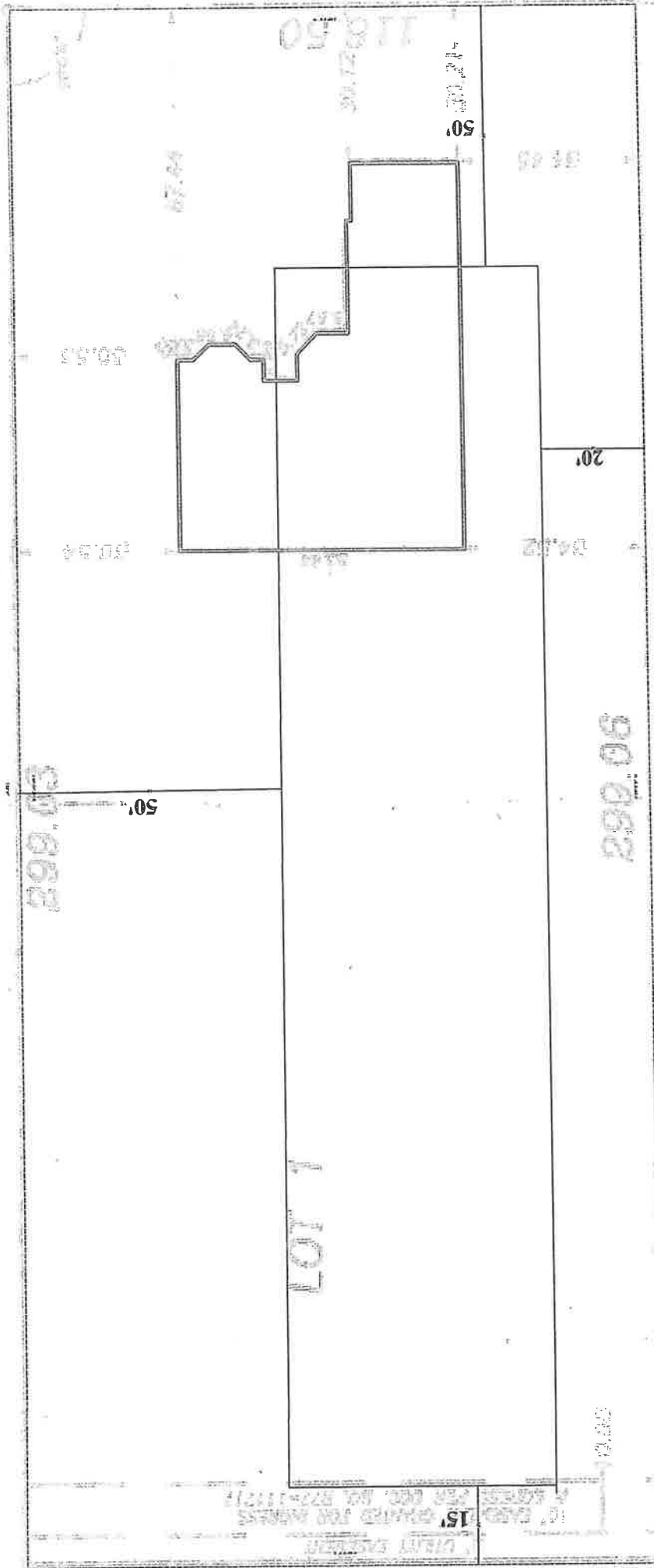
PROPOSED PLAN FOR PERMITTING
AT 15W627 89TH ST.
BURR RIDGE, IL
DUPAGE COUNTY

DWG BY	DATE	CHKD BY	SCALE	SHEET NO
WSB	10/20/2023	WM	1" = 25'	S-01

LOT 1 IN LUREAN'S CAMDARLE MANOR, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 32 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1931, AS DOCUMENT 316521, IN DUPAGE COUNTY, ILLINOIS.

89TH

STREET



RECEIVED

AUG 14 2023

VILLAGE OF BURR RIDGE

February 23, 2024

Village of Burr Ridge

Plan Commission

RE: 15W627 89th Street

PIN 10-01-102-006-0000

V-02-2024 Variance Request

Neighbor's Response

We as neighboring property owners strongly object to any unauthorized and unpermitted construction on the subject site.

We do not agree with the three variance requests made by the property owner, Mr. Curtis Eshghy, because the pool development was never permitted by the Village of Burr Ridge.

We also want to take this opportunity to list herein other issues and disturbances associated with the Owner's current use of the subject site:

The current pool development has two locations for pool equipment which includes pumping, filtration, and heating equipment. The pool equipment is running constantly, and it is noisy. It disturbs the adjacent residents while in their house and while they are in their yards. We want this annoying sound to be muffled.

During the construction of the pool the Owner's contractor built a haul path on the adjacent neighboring property to the south of the subject lot without that property owner's permission. We want this area restored to the prior condition.

The centerline of the creek that traverses the property appears to very close to the pool and adjacent patio. Because the pool was built without a permit we assume the 100 year flood plain area of the creek nor the DuPage County Stormwater Special Management Area regulations were taken into consideration when laying out the pool development. We are concerned about flooding of upstream and downstream properties due to the narrowing of the floodplain area on the subject property due to the pool development. We want verification that the pool development hasn't impacted the flood plain.

The increase of impervious area on site has significantly increased since the pool development was installed. Pervious vs. impervious lot area on the subject lot needs to be calculated to determine if it is conformance with local codes.

February 23, 2024

Village of Burr Ridge

Plan Commission

RE: 15W627 89th Street

PIN 10-01-102-006-0000

V-02-2024 Variance Request

Neighbor's Response

Page two of two

A gravel shoulder 5-6' wide on the south side of 89th Street has been added by the Owner to allow for parking by visitors to the property. At times vehicles are parked overnight in this gravel area where part of the vehicle is on the paved roadway and part is on the added gravel. When vehicles are parked there, they don't allow enough roadway width for trucks and snowplows on 89th Street to drive entirely on the pavement. At times vehicles must drive off the roadway to pass the parked cars. We want verification that the added gravel shoulder parking area and its use is in accordance with local codes.

In summary, we are concerned that the applicant, Mr. Curtis Eshgby, has not abided by the rules and regulations of our community.

We all request he make amends to get along with his neighbors and abide by the rules and regulations of our community so we can return to the peaceful neighborhood we had prior to his moving into the neighborhood.

Respectfully submitted,

Five Concerned Neighborhood Families.



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, March 4, 2024, at Village Hall, 7660 County Line Road, Burr Ridge, Illinois, 60527.**

PURPOSE OF HEARING

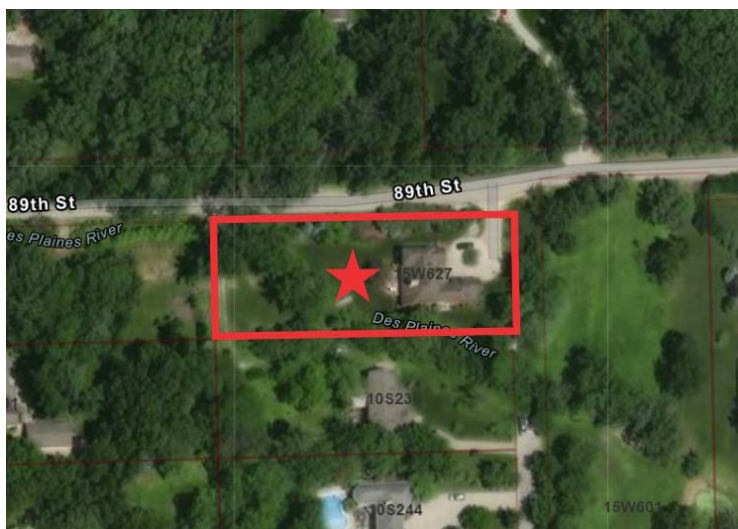
The Plan Commission/Zoning Board of Appeals will hold a public hearing to consider a request by Curtis Eshghy for three (3) variations from Zoning Ordinance Section IV.J, IV.I.34, and IV.H.4 to permit (1) a fence within the corner side yard setback, located 2' of the property line deviating from the 40' minimum regulation, (2) a patio within the corner side yard setback, and (3) a swimming pool within the corner side yard setback. The petition number and address of this petition is **V-02-2024: 15W627 89th Street** and the Permanent Real Estate Index Number is **10-01-102-006-0000.**

Public comment may be provided by individuals who physically attend the meeting at 7660 County Line Road, Burr Ridge, Illinois, 60527. All written public comment wishing to appear in the Plan Commission report shall be provided no later than Tuesday, February 27, 2024. All public comment may be emailed to Planner Ella Stern (estern@burr-ridge.gov) or mailed to Ms. Stern's attention at the address above. The Plan Commission/Zoning Board of Appeals reserves the right to continue said hearings from time to time as may be required without further notice, except as may be required by the Illinois Open Meetings Act.

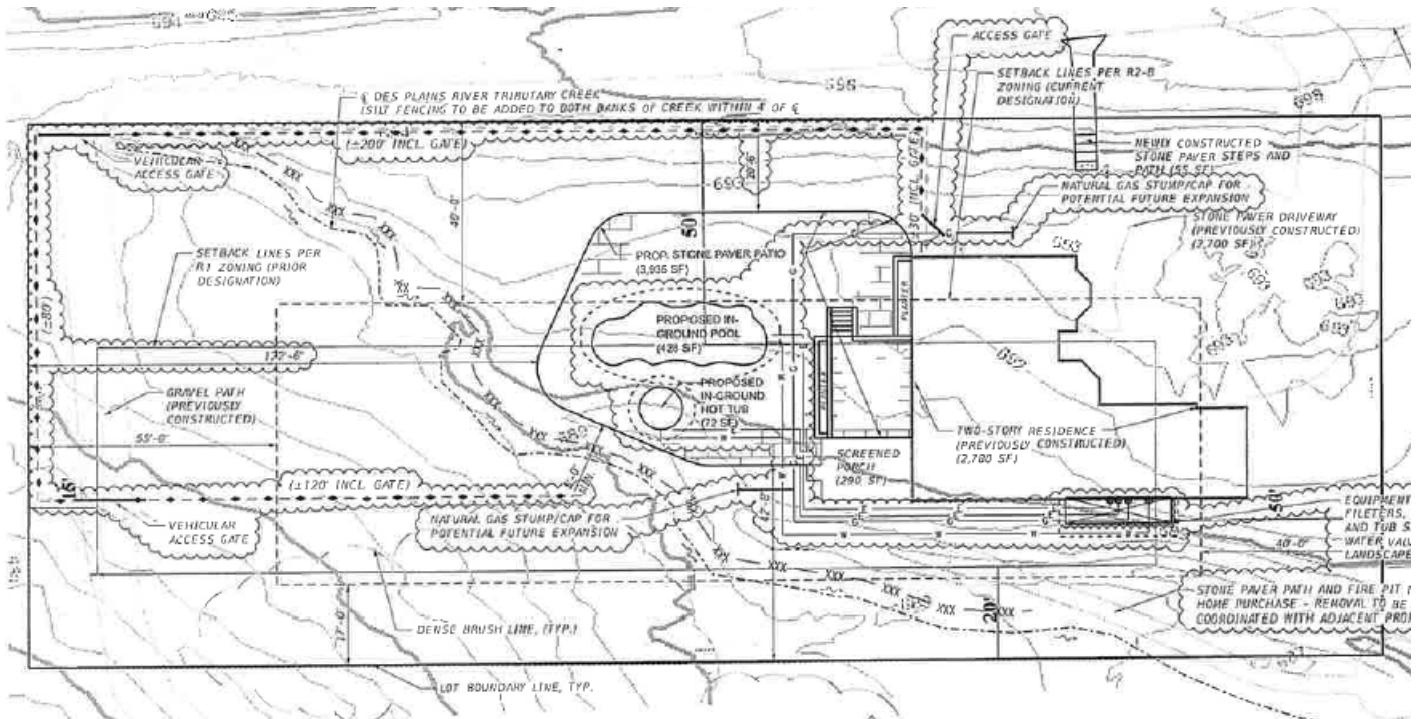
BY ORDER OF THE PLAN COMMISSION/ZONING BOARD OF APPEALS OF THE VILLAGE OF BURR RIDGE, COOK AND DUPAGE COUNTIES, ILLINOIS.

Greg Trzupek, Chairman

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



The site is outlined in red



Proposed site plan of the fence, patio, and pool.

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

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/index.php

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

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

https://www.burr-ridge.gov/government/boards_committees_commissions/plan_commissions_zoning_board_of_appeals/agendas_minutes.php

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

KOENIG TR, MARY ELLEN
1310 SLEEPY HOLLOW LN
DARIEN, IL 60561

SALVINO, KEVIN & COLLEEN
15W531 89TH ST
BURR RIDGE, IL 60521

STATE BANK OF COUNTRYSIDE
190 S LA SALLE APT. 1700
CHICAGO, IL 60603

PICKARD, GLENN & V GAHTAN
9040 TURNBERRY DR
BURR RIDGE, IL 60527

DUPONT, MICHAEL & PAULA
8810 GRANT ST
BURR RIDGE, IL 60521

CHIN, ALAN Y
530 DEVON DR
BURR RIDGE, IL 60527

PAYNE, RICHARD & DORIS
15W680 89TH ST
HINSDALE, IL 60521

FALCONE, SCOTT A
8877 S MADISON ST
BURR RIDGE, IL 60527

PAYNE, KENNETH & CHRISTINE
15W630 89TH ST
BURR RIDGE, IL 60527

THALAMARLA, MOHAN & SASI
15W599 89TH ST
BURR RIDGE, IL 60521

OEDZES, EDWARD & E C
10S125 MADISON ST
BURR RIDGE, IL 60527

ESHGHY, CURTIS
1233 NAPERVILLE DR
ROMEDEVILLE, IL 60446

CHITNIS, SANJIV & RASHMI
5 TURNBERRY CT
BURR RIDGE, IL 60527

HERATH, SAM
510 DEVON DR
BURR RIDGE, IL 60527

DOYLE, PATRICK
8814 AINTREE LN
BURR RIDGE, IL 60521

GREULICH, ROBERT C
10S135 MADISON ST
BURR RIDGE, IL 60521

PIZZUTO, JOSEPH
10S231 VINE ST
BURR RIDGE, IL 60527

KULKARNI TR, TAMMAJI & S
15W700 90TH ST
BURR RIDGE, IL 60521

DAVIS, RODNEY
10S244 GRANT ST
BURR RIDGE, IL 60527

TWARDOWSKI, JANUSZ
3 TURNBERRY CT
BURR RIDGE, IL 60521

PALMIOTTI, GIUSEPPE & N
15W510 91ST ST
BURR RIDGE, IL 60527

SURY, JOHN & LINDA
540 DEVON DR
BURR RIDGE, IL 60527

BOCKHOLDT, B & E CHMIEL
8811 S GRANT ST
BURR RIDGE, IL 60521

MUZZARELLI, ARNOLD & S A
15W660 90TH ST
BURR RIDGE, IL 60527

PLIOPIENE, DILARAM
10S230 GRANT ST
BURR RIDGE, IL 60527

STYKA, PAMELA J
15W731 90TH ST
BURR RIDGE, IL 60527

SCHOOL DISTRICT NO 180
15W451 91ST ST
BURR RIDGE, IL 60521

RAMZEY D LLC
620 DEVON DR
BURR RIDGE, IL 60527

RAMIREZ, FILEMON
9000 TURNBERRY DR
BURR RIDGE, IL 60527

WARE, KENNETH
10S265 S VINE ST
BURR RIDGE, IL 60527

KHAN, SUNNIE & S NAWAZ
9020 TURNBERRY DR
BURR RIDGE, IL 60527

FAWCETT, JOHN
8802 AINTREE LN
BURR RIDGE, IL 60521

STETTIN SR, PAUL & RITA
600 DEVON DR
BURR RIDGE, IL 60521

AKHRAS, ABDULBARI & FAYHA
9001 TURNBERRY DR
BURR RIDGE, IL 60521

TSIONES, JOHN
500 DEVON DR
BURR RIDGE, IL 60527

WEINBERGER, JOHN & JULIE
15W720 89TH ST
BURR RIDGE, IL 60527

MALININ, JERRY & MARGARET
15W730 90TH ST
BURR RIDGE, IL 60527

REBACZ, RALPH
930 S PENNSYLVANIA ST
DENVER, CO 80209

SCHLEHOFER, KARL J
10S260 GRANT ST
BURR RIDGE, IL 60521

DE GRAFF, RANDY & SUSAN
520 DEVON DR
BURR RIDGE, IL 60521

SUBBARAJU, NANDINI & T
577 N EMROY AVE
ELMHURST, IL 60126

MONCAYO, RUTH
15W560 91ST ST
HINSDALE, IL 60521

REDDY, GIRIDHER
5327 S KIMBARK AVE
CHICAGO, IL 60615

MALININ, MARGARET
15W730 90TH ST
BURR RIDGE, IL 60527

MURRAY, CHARLES & VIDA
10S245 MADISON ST
BURR RIDGE, IL 60527

KUDARI, MADHUSUDHAN & A
15W520 89TH ST
BURR RIDGE, IL 60527

THALAMARLA, MOHAN R &SASI
15W599 89TH ST
BURR RIDGE, IL 60527

OTTO, SANDRA V TR
15W760 89TH ST
BURR RIDGE, IL 60527

JACOBS, LOIS
5001 CAROLINE AVE
WESTERN SPRING, IL 60558

TICHY, IVAN & MICHELLE
8765 POLO RIDGE CT
BURR RIDGE, IL 60527

HRAJHOHA, STEPHEN J
15W696 90TH ST
BURR RIDGE, IL 60527

ZIEMBA, JOLANTA
4155 W 58TH PL
CHICAGO, IL 60629

DAUGIRDAS, JOHN & ONA
15W560 89TH ST
BURR RIDGE, IL 60527

PIZZUTO, JOSEPH A
10S231 VINE ST
BURR RIDGE, IL 60527

REDIEHS, RICHARD & P L
15W620 89TH ST
HINSDALE, IL 60521

ZOLNIERZOW, ZBIGNIEW
10S261 MADISON ST
BURR RIDGE, IL 60527

HAMMER, DUANE A & ROSE P
15W450 89TH ST
BURR RIDGE, IL 60527

FERGUSON, KIMBERLY H
610 DEVON DR
BURR RIDGE, IL 60521

HAMMER, DUANE A
15W450 89TH ST
BURR RIDGE, IL 60527

MC DERMOTT, WILLIAM D & K
8781 POLO RIDGE CT
BURR RIDGE, IL 60527

DODD, LOUIS P & ALMA L
8740 GRANT ST
BURR RIDGE, IL 60521

NITTI, JOHN & JANET TRS
521 DEVON DR
BURR RIDGE, IL 60521

COLONNA, BERNARD & S
8762 AINTREE LN
BURR RIDGE, IL 60527

WILSON, SCOTT & ELIZABETH
549 DEVON DR
BURR RIDGE, IL 60527

MANKARIOUS, MICHAEL
531 DEVON DR
BURR RIDGE, IL 60527

DREMONAS, JAMES P
8750 AINTREE LN
BURR RIDGE, IL 60527

RUIZ, FRANCISCO
8749 POLO RIDGE CT
BURR RIDGE, IL 60527

CHUGH, VINEET & NEENA
541 DEVON DR
BURR RIDGE, IL 60521

MC CORMACK, COLLEEN M
8750 S GRANT ST
BURR RIDGE, IL 60527

KOZLOWSKI, DUSTIN
8749 AINTREE LN
BURR RIDGE, IL 60527



**VILLAGE OF BURR RIDGE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS**

Consent to Install Public Notice Sign

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

Street Address of Subject Property:

15w627 89th St.

Property Owner or Petitioner:

Curtis Eshghy

(Print Name)

(Signature)

Feb 13, 2024 at 10:13:26 AM
15W627 89th St
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 Re: ZC V-02-2024 3

Further details are available at:

www.burr-ridge.gov

(see Public Hearing/Plan
Commission Agenda)

ORDINANCE NO. 950

ORDINANCE AUTHORIZING PREANNEXATION AGREEMENT
(KOWALEWSKI - 15W627 89th STREET)

WHEREAS, the Corporate Authorities of the Village of Burr Ridge, Du Page and Cook Counties, Illinois, did hold a public hearing to consider a preannexation agreement for the future annexation of certain property not presently within the corporate limits of any municipality at such time as said property becomes contiguous to the Village of Burr Ridge, said Agreement being entitled "Preannexation Agreement (Kowalewski - 15W627 89th Street)" a true and correct copy of which is attached hereto and made a part hereof as **EXHIBIT A**; and

WHEREAS, the aforesaid public hearing was held pursuant to legal notice as required by law, and all persons desiring an opportunity to be heard were given such opportunity at said public hearing; and

WHEREAS, the Corporate Authorities of the Village of Burr Ridge, Du Page and Cook Counties, Illinois, have determined that it is in the best interests of said Village of Burr Ridge that said Agreement be entered into by the Village of Burr Ridge;

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

Section 1: That this President and Board of Trustees of the Village of Burr Ridge hereby find that it is in the best interests of the Village of Burr Ridge and its residents that the aforesaid "Preannexation Agreement (Kowalewski - 15W627 89th Street)" be entered into and executed by said Village of Burr Ridge, with said Agreement to be substantially in the form attached hereto and made a part hereof as **EXHIBIT A**.

Section 2: That the President and Clerk of the Village of Burr Ridge, Du Page and Cook Counties, Illinois, are hereby authorized to execute for and on behalf of said Village the aforesaid Agreement.

Section 3: That this Ordinance shall take effect from and after its passage, approval and publication in the manner provided by law. That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form.

PASSED this 24th day of February, 2003, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES: 5 - Trustees Sodikoff, Pallat, Derma, Paveza and Rohner.

NAYS: 1 - Trustee Cizek.

ABSENT: 0 - None.

APPROVED this 24th day of February, 2003, by the President of the Village of Burr Ridge.



Village President

ATTEST:



Village Clerk

ORDINANCE NO.1145

ORDINANCE ANNEXING CERTAIN REAL ESTATE
(Esposito - 15W627 89th Street)

BE IT ORDAINED by the President and Board of Trustees of the Village of Burr Ridge, DuPage and Cook Counties, Illinois, as follows:

Section 1: That this President and Board of Trustees find as follows:

- (a) A petition has been filed with the Village Clerk and presented in proper form to the President and Board of Trustees of the Village of Burr Ridge, requesting that the territory described in Section 2 of this Ordinance be annexed to the Village of Burr Ridge, DuPage and Cook Counties, Illinois.
- (b) Said petition was signed by all of the owners of record of such territory and all electors who reside within said territory.
- (c) Such territory is not within the corporate limits of any municipality, but is contiguous to the Village of Burr Ridge, DuPage and Cook Counties, Illinois, a municipality existing under the laws of the State of Illinois.
- (d) That the Village of Burr Ridge, DuPage and Cook Counties, Illinois, does not provide either fire protection or public library services.
- (e) That notice of the proposed annexation has been given to the Cook County Highway Department.

Section 2: That the territory referred to by the Permanent Parcel Identification Number of 10-01-102-006, be and the same is hereby annexed to the Village of Burr Ridge, DuPage and Cook Counties, Illinois, all in conformance with and as shown on the plat of annexation of said territory prepared by a registered land surveyor of the State of Illinois, attached hereto and made a part hereof as Exhibit A.

Section 3: That the Village Clerk is hereby and herewith instructed to record with the Recorder of Deeds of DuPage County, Illinois, and to file with the County Clerk of DuPage County, Illinois;

- (a) a copy of this Ordinance certified as correct by the Clerk of said Village of Burr Ridge; and
- (b) a plat of the land included in this annexation, as required by law, said plat to be attached to the afore-said certified copy of this Ordinance.

Section 4: That this Ordinance shall be in full force and effect from and after its adoption and approval as required by law.

ADOPTED this 12th day of January, 2015, by a majority of the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:	6	-	Trustees Franzese, Grasso, Paveza, Bolos, Ruzak, Manieri
NAYS:	0	-	None
ABSENT:	0	-	None

APPROVED by the President of the Village of Burr Ridge on the 12th day of January, 2015.



Village President

ATTEST:



Village Clerk

PLAT OF ANNEXATION

TO
THE VILLAGE OF BURR RIDGE
OF

P.L.N. 10-01-102-006

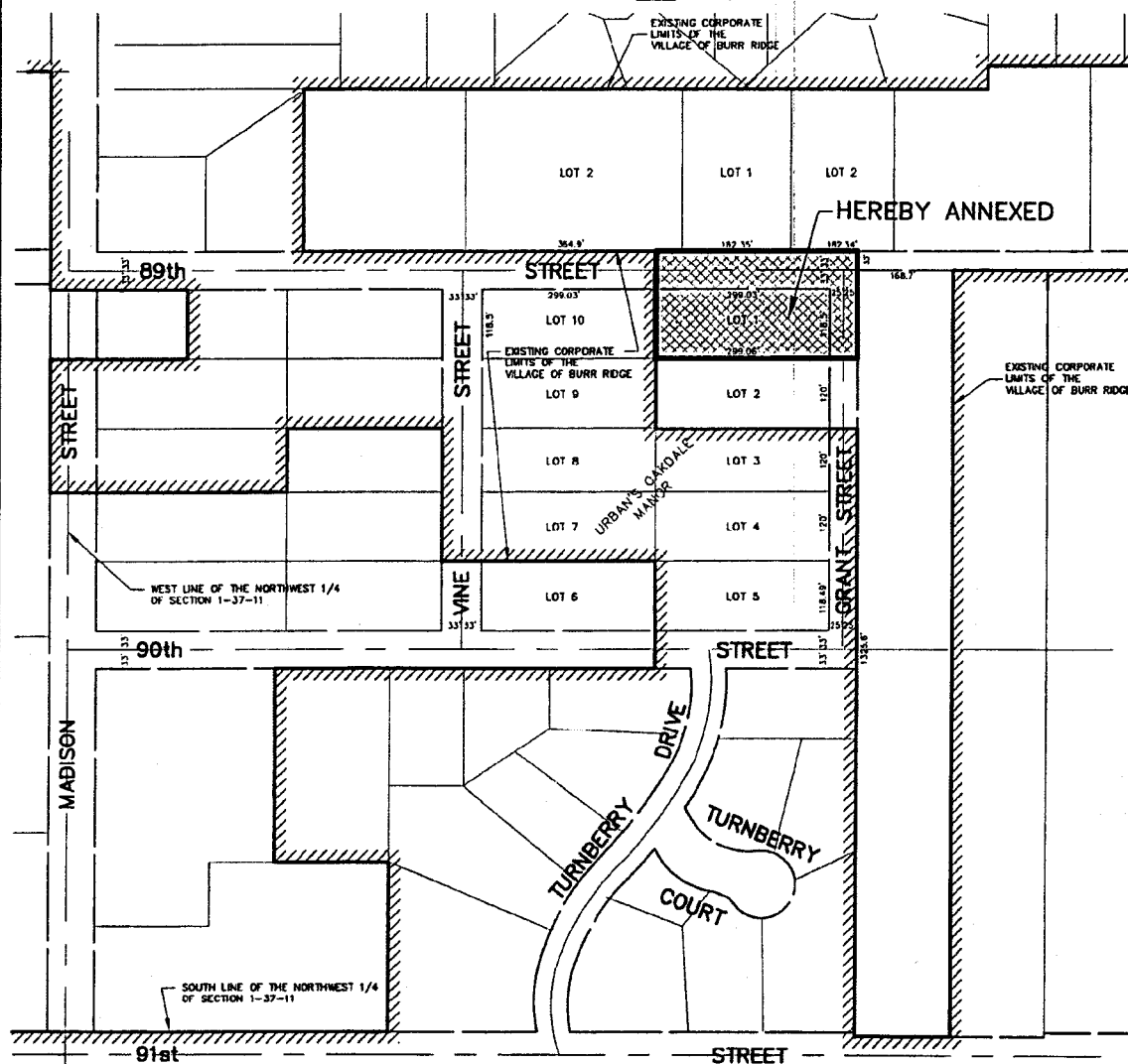
LOT 1 IN URBAN'S OAKDALE MANOR OF PART OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS:
15W527 89th STREET
BURR RIDGE, ILLINOIS 60527

THE NEW BOUNDARY OF THE AREA ANNEXED SHALL EXTEND TO THE FAR SIDE OF ANY ADJACENT HIGHWAY AND SHALL INCLUDE ALL OF EVERY HIGHWAY WITHIN THE AREA ANNEXED.

SCALE: 1"=200'

ANNEXED AREA COMPRISES APPROXIMATELY 1.484 ACRES, MORE OR LESS



SURVEYORS CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF DUPAGE)

I, JAMES L. CAINKAR, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT AS HEREON DRAWN IS A CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED IN THE FOREGOING CAPTION.

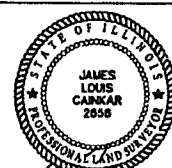
FURTHERMORE, I DESIGNATE THE VILLAGE OF BURR RIDGE TO ACT AS MY AGENT FOR THE PURPOSES OF RECORDING THIS DOCUMENT.

DATED AT WILLOWBROOK, ILLINOIS, THIS 11th DAY OF DECEMBER A.D., 2014.

[Signature]
JAMES L. CAINKAR
ILLINOIS PROFESSIONAL LAND SURVEYOR
No. 2656
EXPIRES 11-30-16

AFTER RECORDING PLEASE RETURN TO:

THE VILLAGE OF BURR RIDGE
7660 COUNTY LINE ROAD
BURR RIDGE, ILLINOIS 60527



SIGNATURE

12-11-14
DATE

JAMES L. CAINKAR, P.E.
IL. P.L.S. NO. 2656
EXPIRES 11-30-2016

DATE: 12-11-14

PROJECT NO. 14497

SHEET 1 OF 1

ORDINANCE NO. A-834-06-23

AN ORDINANCE REZONING PROPERTY FROM R-1 SINGLE FAMILY RESIDENCE
DISTRICT TO R-2B SINGLE FAMILY RESIDENCE DISTRICT

(Z-01-2003: 15W627 89th Street - Krzysztof Kowalewski/Village of
Burr Ridge)

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

WHEREAS, said Plan Commission of this Village held a public hearing on the question of rezoning on January 6, 2003 at the Burr Ridge Village Hall, at which time all persons desiring to be heard were given the opportunity to be heard; and

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

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

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

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

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

- A. That the Petitioner for the rezoning of the property located at 15W627 89th Street, Burr Ridge, Illinois, was originally Krzysztof Kowalewski and is now the Village of Burr Ridge (hereinafter "Petitioner"). The Petitioner requests the rezoning of certain real property.
- B. The Village of Burr Ridge Comprehensive Plan recommends single-family residential uses for the subject property and the surrounding area and the R-2B District zoning is appropriate.
- C. The R-2B zoning district is compatible with the surrounding zoning in the area.
- D. The existing R-1 zoning district is not suitable for the property due to its lot size and lot width. The lot meets the minimum lot area requirement for the R-2B zoning district.

Section 3: That the property at 15W627 89th Street *is hereby*

rezoned from R-1 Single Family Residence District to R-2B Single-Family Residence District of the Burr Ridge Zoning Ordinance with the Permanent Real Estate Index Number of **10-01-102-006:**

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

PASSED this 26th day of June, 2023, by the Corporate Authorities
of the Village of Burr Ridge on a roll call vote as follows:

AYES: 6 - Trustees Schiappa, Snyder, Mital, Smith,
Franzese, Paveza

NAYS: 0 - None

ABSENT: 0 - None

APPROVED by the Mayor of the Village of Burr Ridge on this 26th
day of June, 2023.

ATTEST:

Village Clerk

Mayor



Z-06-2024: Request to consider text amendments to Section X.E, X.F, & XIV of the Burr Ridge Zoning Ordinance to clarify and define the “warehouse” and “warehousing” uses in the L-I and G-I 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: May 6, 2024

On April 8, 2024, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to clarify and define the “warehouse” and “warehousing” uses in the Light Industrial (L-I) and General Industrial (G-I) districts.

Sections X.E and X.F of the Zoning Ordinance detail the regulations regarding warehousing in the L-1 and G-1 districts. In the L-1 and G-1 districts, "manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping, and servicing uses" are permitted. However, In the L-1 district, only the uses listed above are permitted, and no additional uses that are permitted or special uses in the G-1 district are allowed. In the G-1 district, "warehouses" are listed as a separate permitted use, in addition to "manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping, and servicing uses."

Typically, the L-1 district has a mix of office, manufacturing, and warehouse functions as part of a single business' operations. In the G-1 district, a warehouse is identified as a large building dedicated to dead storage without ancillary manufacturing operations.

Current Regulations:

Sections X.E and X.F of the Burr Ridge Zoning Ordinance regulate warehousing in L-I and G-I districts as detailed below, with the specific passage highlighted yellow.

E. LI LIGHT INDUSTRIAL DISTRICT

The LI Light Industrial District is established to accommodate limited industrial and allied activities that are located on relatively large sites of three acres or more.

1. Permitted Uses:

1. Offices; business, professional, governmental, or institutional.
2. Film production and recording studios.
3. Radio and television broadcasting studios.
4. Research and Testing laboratories.
5. Schools; commercial or trade schools which are conducted entirely within enclosed buildings.

6. Manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping, and servicing uses, provided that no such use listed as a permitted or special use in the GI District will be permitted (except for permitted use F.1,a where it would be permitted hereunder).
 7. Accessory uses customarily incidental to principal uses including but not limited to off-street parking and off-street loading spaces, business signs, and dwelling units or lodging rooms for watchmen or other personnel engaged in occupational activities requiring residences on the premises.
2. **Special Uses:**
1. Automobile Sales and Service (Amended by A-834-22-13).
 2. Heliports
 3. Import and export establishment; wholesale sales only
 4. Indoor Private Athletic Training and Practice Facility (Amended by A-834-29-13)
 5. Planned unit developments
 6. Public utility, transportation and governmental service uses
 7. Training centers, engineering, and sales
 8. Wholesaling establishments
 9. Sales and servicing of road paving equipment, provided all servicing or repair of equipment shall be done within completely enclosed buildings
 10. Retail banking facility located in an operations center of a bank
 11. Medical or dental clinics (but not including facilities devoted primarily to emergency medical services) (Amended by A-834-16-07)
 12. Retail uses accessory to either a permitted use or a special use in this district (Amended by A-834-16-07)
 13. Child care center.

F. GI GENERAL INDUSTRIAL DISTRICT

The GI General Industrial District is established to accommodate a broader range of limited industrial, business and allied activities.

1. **Permitted Uses:**
1. Any establishment of which the principal use is manufacturing, fabricating, processing, assembling, disassembling, repairing, cleaning, servicing, testing, warehousing, shipping, and storing of material, products, and goods.
 2. Data processing service centers.
 3. Film production and recording studios.
 4. Greenhouses, including retail and wholesale sales.
 5. Team Athletic Training and Practice Facilities, occupying less than 5,000 square feet of floor area, located in a permanent building with no outdoor facilities, and not including any retail, health or fitness facilities, or other activities that may be made available to the public. (Added by PC-10-2003; Amended by Ordinance A-834-06-16)
 6. Newspaper printing offices.
 7. Offices; business, professional, governmental, or institutional.
 8. Pilot plants for experimentation and development of new and existing processes and products.
 9. Printing and publishing establishments.
 10. Radio and television production studios.
 11. Research laboratories for conducting experiments in scientific fields.
 12. Schools, commercial or trade.
 13. Training center, engineering, or sales.
 14. Warehouses.
 15. Wholesale establishments.

16. Accessory uses customarily incidental to principal uses including but not limited to off-street parking and off-street loading spaces, business signs, and dwelling units or lodging rooms for watchmen or other personnel engaged in occupational activities requiring residences on the premises.

2. **Special Uses:**

1. Automobile and truck and equipment sales, rental, and service. (Amended by Ordinance A-834-9-01)
2. Building material sales and storage (dimension lumber, millwork, cabinets, and other building materials(s) -- including milling, planning, jointing, or manufacturing of millwork.
3. Contractor's office and shops.
4. Dwelling units for watchmen and operating personnel and their families when the nature of operations require such personnel to reside on the premises where they are employed.
5. Health and Wellness Clinics, including health and exercise facilities by appointment only. (Added by Ordinance A-834-27-04; Amended by Ordinance A-834-06-16)
6. Team Athletic Training and Practice Facilities, occupying 5,000 square feet or more of floor area, located in a permanent building with no outdoor facilities, and not including any retail, health or fitness facilities, or other activities that may be made available to the public (Added by Ordinance No. A-834-04-05; Amended by Ordinance A-834-06-16)
7. Kennel
8. Martial arts training schools. (Added by Ordinance A-834-01-04)
9. Medical Cannabis Dispensing Facility, licensed by the State of Illinois as per the State of Illinois Compassionate Use of Medical Cannabis Pilot Program Act. (Added by Ordinance A-834-37-13)
10. Medical or dental clinics but not including facilities devoted primarily to emergency medical services. (Added by Ordinance A-834-28-11)
11. Outside storage; provided that storage is located to the rear of the principal building, is screened on all sides, does not exceed the height of the screening, and is not visible from any adjacent streets or residential areas.
12. Parking lots and storage garages.
13. Planned unit developments; provided that no use shall be permitted in such planned unit developments that is not a permitted or special use in this or any other Manufacturing District set forth in this Ordinance.
14. Public utility, governmental service and similar uses as follows:
 1. Bus transit facilities, including shelters, passenger stations, parking areas, and service buildings.
 2. Electric distribution centers and substations.
 3. Compressor stations, well head stations, well separator, and other similar above-the-ground facilities customarily used for the distribution of natural gas as a part of the operations of a natural gas company or non-exempt operations of a public utility company.
 4. Gas regulator stations.
 5. Public utility and governmental service establishments, other -- including offices, storing, testing, repairing, and servicing.
 6. Railroad rights-of-way and passenger stations.
 7. Telephone exchanges and service buildings.
 8. Water-filtration plants, pumping stations, reservoirs, wells, and sewage-treatment plants and lift stations -- public or community.
15. Retail uses accessory to either a permitted use or a special use in this district.
16. Self-service storage facilities as defined by the Illinois Self-Service Storage Facility Act, including watchmen quarters, provided such facilities are on a Frontage Road adjacent to a state highway; that such facilities are of such construction materials and architectural

design that their appearance is similar to office buildings; and provided the facilities are landscaped to project an office image.

17. Sexually Oriented Business as defined in Section XIV, B, of this Ordinance shall be subject to the following restrictions:

1. No person shall cause or permit the establishment of any sexually oriented business within 1,000 feet of another such business or within 1,000 feet of any religious institution, school, boys' club, girls' club, or similar existing youth organization, or public park or public building, or within 1,000 feet of any property zoned for residential use or used for residential purposes. Such sexually oriented business uses are classified as follows:
 1. adult arcade;
 2. adult bookstore, adult novelty store or adult video store;
 3. adult cabaret;
 4. adult motel;
 5. adult motion picture theater;
 6. adult theater;
 7. massage parlor;
 8. sexual encounter establishment;
 9. escort agency; or
 10. nude or semi-nude model studio.
 2. This Ordinance shall be read consistently with all Sections of the Village of Burr Ridge Liquor Ordinance, Section 25.28, which prohibit adult entertainment where alcoholic beverages are served.
 3. The distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures, from the closest property line of each business property. The distance between any sexually oriented business and any religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes shall also be measured in a straight line, without regard to intervening structures or objects from the property line of the property where the sexually oriented business is conducted, to the nearest property line of the premises of a religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes.
(Added by Ordinance A-834-3-97)
18. Schools, workshops, training centers for developmentally disabled persons. (Added in August 2002)
19. Banks and financial institutions (Added August 22, 2005)
20. Driving through facilities accessory to any permitted or special use. (Added August 22, 2005)
21. School or training course for dog trainers. (Added in September 12, 2005)
22. Accessory building on a lot with an existing principal building
23. Outdoor, overnight storage of retail vehicles ancillary to a permitted or special use.

Section XIV of the Zoning Ordinance regulates the Rules and Definitions. There is no definition of "warehousing" or a "warehouse" in the Zoning Ordinance, and differences between these two uses have been subject to staff interpretation.

Neighboring Municipality Research

Staff surveyed surrounding municipalities and found the following information regarding warehouse and warehousing uses and definitions in their respective Zoning Ordinances.

Municipality	Regulation
Darien	<p>5A-9-3: OR&I OFFICE, RESEARCH AND LIGHT INDUSTRY DISTRICT: 5A-9-3-3: PERMITTED USES: (H) Light industrial activities, including, but not limited to, electronic and scientific precision instruments manufacture, cloth products manufacture, light machinery production and assembly, printing, and publishing. (I) Warehouses, wholesale, and storage facilities, but excluding motor freight terminals.</p> <p>5A-9-4: I-1 GENERAL INDUSTRIAL DISTRICT: 5A-9-4-3: PERMITTED USES: Warehousing, storage (including ministorage) and distribution facilities. General manufacturing and wholesaling. Glass products production and sales. Heavy machinery production. Light machinery production.</p> <p>5A-13-1: DEFINITIONS: WHOLESALE: A business which primarily sells in quantity or bulk to a person or entity for resale. <i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
Hinsdale	<p>The Village of Hinsdale does not regulate Industrial districts in the Zoning Ordinance, but there are currently a few semi-industrial uses in the Village's Office districts.</p> <p>12-206: Definitions: Wholesale Trade: A business engaged in the sale of commodities in quantity, usually for resale or business use chiefly to retailers, other businesses, industries, and institutions rather than to the ultimate consumer. <i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
Indian Head Park	<p>DIVISION 14. B-3 SERVICE BUSINESS DISTRICT Sec. 42-572. Special uses. (4) Wholesale establishments with storage of merchandise;</p> <p>DIVISION 15. B-4 SERVICE DISTRICT 42-604. Special uses. Special uses as allowed in a B-1, B-2 and B-3 district</p> <p>DIVISION 16. B-5 BUSINESS DISTRICT Sec. 42-640. Prohibited uses. (5) Wholesale uses</p> <p>DIVISION 17. B-6 BUSINESS DISTRICT Sec. 42-638. Permitted uses. (2) Warehousing uses. Warehousing uses shall be listed only to warehouse facilities ancillary to the permitted uses listed above and not as independent or separate uses.</p>

	<p>Sec. 42-668. Site and structure provisions. (11) Office/warehouse ratio. a. Structures with areas up to 3,000 square feet individual units of office/warehouse structures having areas of 3,000 square feet or less shall have at least 15 percent of their area allocated for office use; b. Structures with areas greater than 3,000 square feet. Individual units of office/warehouse Structures having areas greater than 3,000 square feet shall have at least ten percent or 450 square feet of their area, whichever is greater, allocated for office use; c. Bulk regulations. On any parcel of land which is zoned for B-6 use and upon which one or more office/warehouse structures are to be erected, at least 60 percent of the sum total of the gross floor area of the structure that can be erected upon the buildable area of said parcel of land shall be allocated for use as office space. In the event there is more than one structure to be erected on the parcel under consideration, the foregoing percentage shall be applied to the total buildable area § 42-668 INDIAN HEAD PARK CODE CD42:102 in the entire parcel and not to each individual structure. However, to ensure ultimate compliance with the bulk regulations set forth herein, the developer of any parcel which may contain more than one structure shall, prior to the issuance of the building permit for the first structure, submit a conceptual plan indicating the allocation of office space for the structures intended to be built on the parcel, which plan shall be amendable by the developer at any time up to and including issuance of building permits for structures comprising buildable areas not to exceed 40 percent of the gross floor area to be constructed on the parcel.</p> <p><i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
Oakbrook Terrace	<p>§ 156.088 B-4 BUSINESS PARK. (B) Permitted uses. The following uses are permitted: (15) Warehousing and distribution facilities within enclosed buildings; provided that at least 5% of the gross floor area is comprised of office space.</p> <p>156.087 B-3 GENERAL RETAIL. (C) Special uses. The following uses may be allowed by special use in accordance with the provisions § 156.024: (38) Storage garages, overnight or more permanent, but not including auto wrecking yards, truck terminals, or motor-freight parking areas, but only on Roosevelt Road (IL-38) and IL-83. (41) Warehouse/distribution centers.</p> <p><i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
Oakbrook	<p>13-10: OFFICE-RESEARCH-ASSEMBLY DISTRICT 13-10-1: PROHIBITED USES: - Industrial: No lot shall be used, and no structure shall be erected, altered or remodeled for any of the following uses: abattoirs; arsenals; crematories; creosote treatment or manufacture; fat rendering; fertilizer manufacture; fireworks manufacture or storage; dumping or reduction of garbage, dead animals, offal, or refuse; ore reduction; petroleum processing or refining; pyroxylin manufacture; gutta percha manufacture or treatment; saltworks; sauerkraut manufacture; smelters; stockyard or slaughter of or experimentation with animals or fowl; tallow, grease, or lard manufacture or treatment; tanning, curing, or storage of rawhides or</p>

	<p>skins; tar distillation or manufacture; cement, concrete, or asphaltic concrete, mortar or plaster batch mixing plants; or junkyard or other uses having operations that are deemed by the board of trustees to be incompatible with the intended environmental character of the ORA office-research-assembly district, except clinical testing of animals of the rodent family or domesticated fowl is permitted if conducted within a separate room or rooms not to exceed two thousand (2,000) square feet of gross floor area which is part of a building used for research.</p> <p>13-10-2: USES ENCLOSED:</p> <ul style="list-style-type: none"> - All business, service, research, merchandise display and manufacturing activities and operations shall be conducted wholly within completely enclosed buildings except off street parking, off street loading, outdoor dining areas adjacent to restaurants and open sales lots and drive-in facilities in districts where they are permitted <p>ORA1 OFFICE_RESEARCH-ASSEMBLY DISTRICT</p> <p>13-10A-1: PERMITTED USES:</p> <ul style="list-style-type: none"> - Accessory uses and structures, including storage and service areas within the structures, garages for delivery trucks, central heating and air conditioning plants, and storage areas, yards, shops, and similar facilities that are used solely for operating, servicing, or maintaining the activities and improvements within the lot on which the accessory use is located. Accessory uses and structures shall also include dwellings occupied by watchmen, janitors, maintenance, and similar employees engaged upon the premises; but no dwellings shall be erected for any other purposes. - Any establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning, servicing, or testing of materials, goods, or products, provided that operations conform with performance standards and other requirements of this title. <p>ORA2 OFFICE_RESEARCH-ASSEMBLY DISTRICT</p> <p>13-10B-1: PERMITTED USES:</p> <ul style="list-style-type: none"> - Accessory uses and structures, including storage and service areas within the structures, garages for delivery trucks, off street parking, central heating and air conditioning plants, and storage areas, yards, shops, and similar facilities that are used solely for operating, servicing, or maintaining the activities and improvements within the district. Accessory structures and uses shall also include dwellings occupied by watchmen, janitors, maintenance and similar employees engaged upon the premises; but no dwelling shall be erected for any other purpose. <p>13-2-2: DEFINITIONS:</p> <p>MANUFACTURING ESTABLISHMENT: A lot and structure, the principal use of which is manufacturing, fabricating, processing, assembling, repairing, storing, cleaning, servicing, or testing of materials, goods, or products.</p> <p><i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
Willowbrook	<p>9-3-5: PERMITTED, SPECIAL, AND TEMPORARY USES:</p> <p>M-1 LIGHT MANUFACTURING DISTRICT</p> <p>Artisan Manufacturing Light Manufacturing, Assembly, Fabrication Warehouse, Distribution/Storage</p>

	<p>9-4: USE-SPECIFIC STANDARDS</p> <p>9-4-09: INDUSTRIAL USES:</p> <p>(A) Artisan Manufacturing:</p> <ol style="list-style-type: none"> 1. Gross floor area shall not exceed five thousand (5,000) square feet. 2. Outdoor storage shall be prohibited. 3. Outdoor operations or activities may be approved with a Temporary Use Permit. 4. Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties. 5. Retail sales of goods manufactured on-site shall be required and shall comprise a minimum of ten percent (10%) of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows. 6. Manufacturing areas are encouraged to be visible from retail areas. 7. A maximum of one (1) residential unit shall be permitted within the same unit/leasable area as the artisan manufacturing use but shall be limited to twenty-five percent (25%) of the total area of the building. <p>(B) Building Material, Machinery, And Equipment Rental, Sales, And Service:</p> <ol style="list-style-type: none"> 1. A Type B transition area, as detailed in Section <u>9-5-02(H)(3)</u>, shall be required along lot lines adjacent to any parcel in a nonresidential district. 2. A Type D transition area, as detailed in Section <u>9-5-02(H)(3)</u>, shall be required along lot lines adjacent to any parcel in a residential I Institutional Zoning District. 3. Metal and/or vinyl siding is prohibited. Exterior building cladding materials shall be brick, stone, or decorative masonry only. 3. Outdoor storage and/or activity is prohibited. (Ord. 23-0-05, 1-23-2023) <p>9-11-21: “W” DEFINITIONS: WAREHOUSE, DISTRIBUTION/STORAGE: Structures, or part thereof, or area used principally for the storage or distribution of goods and merchandise to retailers, nonresidential users, or to other wholesalers. The term "warehouse/distribution" shall not include truck terminals/repair or light manufacturing, as defined herein.</p> <p>9-11-11: “L” DEFINITIONS: LIGHT MANUFACTURING, ASSEMBLY, FABRICATION: Industrial facilities at which all operations (with the exception of loading operations): Are conducted entirely within an enclosed building; not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion).</p>
Willow Springs	<p>CHAPTER 7A L-1 LIGHT INDUSTRIAL DISTRICT</p> <p>9A-7A-3: PERMITTED USES Warehouses and storage facilities. Wholesale establishments.</p> <p>CHAPTER 7B HEAVY INDUSTRIAL DISTRICT</p> <p>9A-7B-3: PERMITTED USES Any use permitted in the L-I Light Industrial District Self-Storage Facilities Warehouses</p>

	<p>9A-7B-4: SPECIAL USES Any special uses as authorized as a special use in the L-1 Light Industrial District. (Ord. 2019-O-34)</p> <p>9A-1-1: DEFINITIONS MANUFACTURING or INDUSTRY: Any use in which the major activity is the treatment, processing, rebuilding, repairing or wholesale storage of material, products or items and where the finished product is not acquired by the ultimate user on the premises, as distinguished from a rental use where the treatment, processing, repairing or storage is secondary to the sale, exchange or repairing of materials or products on the premises.</p> <p><i>(found no definition for “warehouse” or “warehousing” in the Zoning Ordinance)</i></p>
DuPage County	<p>37-1001: - I-1 LIGHT INDUSTRIAL DISTRICT. 37-1001.1: - PERMITTED USES. Any manufacturing, fabricating, processing, packing and storage uses, provided such uses conform with the requirements set forth in Part 1 of this article, and with the performance standards in <u>Section 37-1003</u> of this article. Warehousing, storage, and distribution facilities not including motor freight terminals. 37-1001.2: - CONDITIONAL USES. Wholesale establishments.</p> <p>37-1002: - I-2 GENERAL INDUSTRIAL DISTRICT. 37-1002.1: - PERMITTED USES. Any manufacturing, fabricating, processing, packaging and storage uses, provided such uses conform with the requirements set forth in Part 1 of this article, and with the performance standards in <u>Section 37-1003</u> of this article. Light machinery production. Warehousing, storage and distribution facilities, not including a motor freight terminal, need not be enclosed.</p> <p>37-302: - DEFINITIONS. Warehouse: A building or structure or part thereof, used principally for the storage of goods and merchandise.</p>

In many of the neighboring municipalities, including the Village of Burr Ridge, "warehouse" and "warehousing" regulations and definitions or lack of in the Zoning Ordinance can be subject to interpretation. Warehousing can involve storage, distribution, and logistics activities, but the scale and nature of these operations can vary widely. Managing and regulating warehouses within particular zoning districts may become difficult as a result of these complexities.

Formal language has not been proposed for adoption in this staff report. Staff is seeking direction from the Plan Commission at this initial public hearing and will prepare draft language based upon that discussion. Staff provided the following comments based upon the language above to facilitate discussion and guide the process for drafting language.

- Motor freight terminals/truck terminals are called out as separate and distinct uses from a warehouse (see DuPage County, Willowbrook, and Darien). Within Burr Ridge, a business like SAIA would be constituted as a motor freight terminal. Additionally, the Zoning Ordinance contains a definition for the use, "MOTOR FREIGHT TERMINAL: A building, structure, or area in which freight brought by motor truck or railroad is received, assembled,

sorted, stored and/or rerouted for local intra-state or inter-state shipment by motor truck.” The Plan Commission may wish to explore adding the “motor freight terminal” language to any definition or clarification of the warehouse use.

- The distribution center use is lumped together with a warehouse use in most of the municipalities. The Plan Commission may wish to explore the distribution center use, including adding a definition, or lump it together with a warehouse.
- Warehousing is permitted as ancillary or accessory to the principal use (see Indian Head Park and Oakbrook Terrace). A certain percentage of floor area must be dedicated to a principal use, such as an office or manufacturing, which is similar to the regulations for the Village’s R-A zoning district (70% must be office). The Plan Commission may wish to clarify if a warehouse is a principal or accessory use in either L-I and G-I and the floor area dedicated to the use.
- In Willowbrook, there are definitions for both Light Manufacturing and Warehouse uses to create a distinction between the uses. The Burr Ridge Zoning Ordinance defines Manufacturing as, “MANUFACTURING ESTABLISHMENT: An establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning, servicing, or testing of materials, goods or products.” The Plan Commission may wish to refine the definition, clarifying the “storing” aspect.

Public Comment

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

Findings of Fact

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

Attachments

- Exhibit A – Petitioner’s Materials and Findings of Fact
- Exhibit B – Current Zoning Ordinance regulations
- Exhibit C – Public Comments



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): Ella Stern, Planner, Village of Burr Ridge

STATUS OF PETITIONER: Village of Burr Ridge

PETITIONER'S ADDRESS: 7600 S. County Line Road, IL 60527

ADDRESS OF SUBJECT PROPERTY: N/A

PHONE: (630)-654-8181 x 6260

EMAIL: estern@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 hearing to consider text amendments to Section X.E, X.F, & XIV of the Burr Ridge Zoning Ordinance to clarify and define the "warehouse" and "warehousing" uses in the L-I and G-I districts

PROPERTY INFORMATION (to be completed by Village staff)

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

EXISTING USE/IMPROVEMENTS: N/A

SUBDIVISION: N/A

PIN(S) # N/A

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

4/11/24

Petitioner's Signature

Date of Filing



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

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

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

Section X.E and X.F of the Zoning detail the regulations regarding warehousing in the L-I and G-I districts. In the Zoning Ordinance, both the L-I and G-I districts state, "manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping, and servicing uses" are permitted. However, in the L-I district, no other use that is permitted or a special use in the G-I district is allowed. In the G-I district, "warehouses" are listed as a separate permitted use. There is no definition of "warehousing" or a "warehouse" in the Zoning Ordinance, and differences between these two uses have been subject to staff interpretation. Typically, the L-I district has a mix of office, manufacturing, and warehouse functions as part of a single business' operations. In the G-I district, a warehouse is characterized as a large building dedicated to dead storage without ancillary manufacturing operations.

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

The Zoning Ordinance currently contains some regulations regarding warehousing. The proposed text amendment aims to clarify and define the warehouse/warehousing use within the Village of Burr Ridge, particularly in the Rules and Definitions, L-I and G-I districts, to ensure alignment with the community's zoning objectives and standards. Warehouses could be broadly applicable to both the L-I and G-I District within the Village of Burr Ridge and should be evaluated as a text amendment to the Zoning Ordinance.

(Please transcribe or attach additional pages as necessary)

In Section XIV Rules and Definitions, there is no definition for warehouse or warehousing.

https://burrridge.municipalcodeonline.com/book?type=zoning#name=XIV_RULES_AND_DEFINITIONS

Zoning Ordinance Language for Warehouse/Warehousing in the Light Industrial (L-I) and General Industrial (G-I) Districts – Section X.E & X.F.

https://burrridge.municipalcodeonline.com/book?type=zoning#name=X_MANUFACTURING_DISTRICTS

E. LI LIGHT INDUSTRIAL DISTRICT

The LI Light Industrial District is established to accommodate limited industrial and allied activities that are located on relatively large sites of three acres or more.

1. Permitted Uses:

1. Offices; business, professional, governmental or institutional.
2. Film production and recording studios.
3. Radio and television broadcasting studios.
4. Research and Testing laboratories.
5. Schools; commercial or trade schools which are conducted entirely within enclosed buildings.
6. **Manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping and servicing uses, provided that no such use listed as a permitted or special use in the GI District will be permitted (except for permitted use F,1,a where it would be permitted hereunder).**
7. Accessory uses customarily incidental to principal uses including but not limited to off-street parking and off-street loading spaces, business signs, and dwelling units or lodging rooms for watchmen or other personnel engaged in occupational activities requiring residences on the premises.

2. Special Uses:

1. Automobile Sales and Service (Amended by A-834-22-13).
2. Heliports
3. Import and export establishment; wholesale sales only
4. Indoor Private Athletic Training and Practice Facility (Amended by A-834-29-13)
5. Planned unit developments
6. Public utility, transportation and governmental service uses
7. Training centers, engineering and sales
8. Wholesaling establishments
9. Sales and servicing of road paving equipment, provided all servicing or repair of equipment shall be done within completely enclosed buildings
10. Retail banking facility located in an operations center of a bank
11. Medical or dental clinics (but not including facilities devoted primarily to emergency medical services) (Amended by A-834-16-07)
12. Retail uses accessory to either a permitted use or a special use in this district (Amended by A-834-16-07)
13. Child care center.

F. GI GENERAL INDUSTRIAL DISTRICT

The GI General Industrial District is established to accommodate a broader range of limited industrial, business and allied activities.

1. Permitted Uses:

- 1. Any establishment of which the principal use is manufacturing, fabricating, processing, assembling, disassembling, repairing, cleaning, servicing, testing, warehousing, shipping and storing of material, products, and goods.**
2. Data processing service centers.
3. Film production and recording studios.
4. Greenhouses, including retail and wholesale sales.
5. Team Athletic Training and Practice Facilities, occupying less than 5,000 square feet of floor area, located in a permanent building with no outdoor facilities, and not including any retail, health or fitness facilities, or other activities that may be made available to the public. (Added by PC-10-2003; Amended by Ordinance A-834-06-16)
6. Newspaper printing offices.
7. Offices; business, professional, governmental or institutional.
8. Pilot plants for experimentation and development of new and existing processes and products.
9. Printing and publishing establishments.
10. Radio and television production studios.
11. Research laboratories for conducting experiments in scientific fields.
12. Schools, commercial or trade.
13. Training center, engineering or sales.
- 14. Warehouses.**
15. Wholesale establishments.
16. Accessory uses customarily incidental to principal uses including but not limited to off-street parking and off-street loading spaces, business signs, and dwelling units or lodging rooms for watchmen or other personnel engaged in occupational activities requiring residences on the premises.

2. Special Uses:

1. Automobile and truck and equipment sales, rental and service. (Amended by Ordinance A-834-9-01)
2. Building material sales and storage (dimension lumber, millwork, cabinets and other building materials(s) -- including milling, planning, jointing or manufacturing of millwork.
3. Contractor's office and shops.
4. Dwelling units for watchmen and operating personnel and their families when the nature of operations require such personnel to reside on the premises where they are employed.
5. Health and Wellness Clinics, including health and exercise facilities by appointment only. (Added by Ordinance A-834-27-04; Amended by Ordinance A-834-06-16)
6. Team Athletic Training and Practice Facilities, occupying 5,000 square feet or more of floor area, located in a permanent building with no outdoor facilities, and not including any retail, health or fitness facilities, or other activities that may be made available to the public (Added by Ordinance No. A-834-04-05; Amended by Ordinance A-834-06-16)

7. Kennel
8. Martial arts training schools. (Added by Ordinance A-834-01-04)
9. Medical Cannabis Dispensing Facility, licensed by the State of Illinois as per the State of Illinois Compassionate Use of Medical Cannabis Pilot Program Act. (Added by Ordinance A-834-37-13)
10. Medical or dental clinics but not including facilities devoted primarily to emergency medical services. (Added by Ordinance A-834-28-11)
11. Outside storage; provided that storage is located to the rear of the principal building, is screened on all sides, does not exceed the height of the screening, and is not visible from any adjacent streets or residential areas.
12. Parking lots and storage garages.
13. Planned unit developments; provided that no use shall be permitted in such planned unit developments that is not a permitted or special use in this or any other Manufacturing District set forth in this Ordinance.
14. Public utility, governmental service and similar uses as follows:
 1. Bus transit facilities, including shelters, passenger stations, parking areas, and service buildings.
 2. Electric distribution centers and substations.
 3. Compressor stations, well head stations, well separator, and other similar above-the-ground facilities customarily used for the distribution of natural gas as a part of the operations of a natural gas company or non-exempt operations of a public utility company.
 4. Gas regulator stations.
 5. Public utility and governmental service establishments, other -- including offices, storing, testing, repairing and servicing.
 6. Railroad rights-of-way and passenger stations.
 7. Telephone exchanges and service buildings.
 8. Water-filtration plants, pumping stations, reservoirs, wells, and sewage-treatment plants and lift stations -- public or community.
15. Retail uses accessory to either a permitted use or a special use in this district.
16. Self-service storage facilities as defined by the Illinois Self-Service Storage Facility Act, including watchmen quarters, provided such facilities are on a Frontage Road adjacent to a state highway; that such facilities are of such construction materials and architectural design that their appearance is similar to office buildings; and provided the facilities are landscaped to project an office image.
17. Sexually Oriented Business as defined in Section XIV, B, of this Ordinance shall be subject to the following restrictions:
 1. No person shall cause or permit the establishment of any sexually oriented business within 1,000 feet of another such business or within 1,000 feet of any religious institution, school, boys' club, girls' club, or similar existing youth organization, or public park or public building, or within 1,000 feet of any property zoned for residential use or used for residential purposes. Such sexually oriented business uses are classified as follows:
 1. adult arcade;
 2. adult bookstore, adult novelty store or adult video store;
 3. adult cabaret;
 4. adult motel;
 5. adult motion picture theater;

6. adult theater;
 7. massage parlor;
 8. sexual encounter establishment;
 9. escort agency; or
 10. nude or semi-nude model studio.
2. This Ordinance shall be read consistently with all Sections of the Village of Burr Ridge Liquor Ordinance, Section 25.28, which prohibit adult entertainment where alcoholic beverages are served.
 3. The distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures, from the closest property line of each business property. The distance between any sexually oriented business and any religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes shall also be measured in a straight line, without regard to intervening structures or objects from the property line of the property where the sexually oriented business is conducted, to the nearest property line of the premises of a religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes. (Added by Ordinance A-834-3-97)
18. Schools, workshops, training centers for developmentally disabled persons. (Added in August 2002)
 19. Banks and financial institutions (Added August 22, 2005)
 20. Driving through facilities accessory to any permitted or special use. (Added August 22, 2005)
 21. School or training course for dog trainers. (Added in September 12, 2005)
 22. Accessory building on a lot with an existing principal building
 23. Outdoor, overnight storage of retail vehicles ancillary to a permitted or special use.

From: dhryan07@comcast.net
To: [Ella Stern](#)
Subject: Comment for May 6 Plan Commission
Date: Tuesday, April 30, 2024 9:13:19 AM

Date: April 30, 2024

To: Ms. Stern and Plan Commissioners

From: Donna Ryan, President Chestnut Hills Assoc.

Consider Text Amendments to Section X.E and X.F and XIV of the Burr ridge Zoning Ordinance to clarify and define the “warehouse uses and “warehousing” uses in the L1 and G1 Districts

L1 as we know it is a Low Impact Industrial District and can exist in harmony with residential, like High Grove! With that said there should be Limitations added to the Ordinance in consideration of the surrounding Districts: The following conditions and limitations that should apply, and are used by other municipalities:

1. A use which creates a nuisance because of the noise, smoke, odor, dust or gas is prohibited.
2. Points of access from a public street to properties in an L1 zone shall be so located as to minimize traffic congestion and avoid directing traffic into residential streets.
3. Building entrances or other openings adjacent to or across the street from a residential zone shall be prohibited if they cause glare, excessive noise or otherwise adversely affect land uses in the residential zone.

The above would support the X. Manufacturing Districts, Preamble....No deleterious effect on residential and business areas. And the BR Comprehensive Plan's Vision:

“Burr Ridge is a high quality suburban community with low density neighborhoods characterized by distinctive homes in natural wooded settings. Our Village accommodates residents who seek a sense of privacy in a tranquil environment. We desire to enhance the Village's physical beauty, keeping Burr Ridge a very special place.”

And as for G1, these types of businesses should be located on a major, arterial road away from residences. The Zoning Code: Purpose and Intent, captures reasons for the need for its Limitations, to promote:

1. Promoting and protecting the public health, safety, comfort, morals, convenience, and general welfare;
2. Securing adequate natural light, pure air, and safety from fire and other dangers; and
3. Enhancing aesthetic values generally throughout the Village of Burr Ridge.

Lisa M. Turano
Gioia Solano
Rocco Solano
6916 Fieldstone Drive
Burr Ridge, IL 60527
630.640.1124
lisaturano@comcast.net

April 30, 2024

Ms. Ella Stern
Planner
Village of Burr Ridge
7660 County Line Road
Burr Ridge, IL 60527

Re: CNH PROPOSAL/BRIDGE SUBMISSION

Dear Ms. Stern:

Please accept this correspondence as opposition to the proposed use submitted by Bridge Industrial for the development referred to as the "CNH Property" wherein said development would include "warehouses".

First, we are actively engaged with the efforts of Burr Ridge Allies in Development to attempt to work WITH the Village to identify a need and development for the proposed land that both fits and benefits the community. We AGAIN stress that the best approach to this would be to engage a land use professional or planner to direct the Village before zoning amendments, definitions or variances are allowed. Any considerations, even any clarifications, at this point are premature and do a disservice to the Village identity, the residents and the potential quality of living herein.

It is our understanding that the subject "CNH property" or the proposal includes, or may include, a mix of L-1 and G-1 districts with both districts allowing "manufacturing, fabricating, processing, assembly, testing, storing, repairing, warehousing, shipping and servicing uses". Furthermore, we understand that the Plan Commission is to determine the definition of warehouse and warehousing.

Accordingly, we would propose the following:

We seek that the definition of **warehouse** would be the use of temporary storage for an organization or company's OWN products or service equipment, i.e., the primary purpose of the warehouse being temporary storage of a company's own product wherein their business is the sale or provision of a product or service. In this case, a warehouse would be a minor or de minimis part of the overall "business" activities of the organization or company akin to a garage being an accessory to a home where the primary purpose is tenantable living, not car repair or storage.

We seek that the definition of **warehousing** be the business of storage for profit for one or several organizations or companies with the intent to engage in the business of logistics wherein said items held in storage would be off loaded into the warehouse for storage and onloaded onto trucks for further delivery and distribution into a network of other warehouses, retail establishments or direct to customer, etc. Warehousing would include motor freight terminals, logistics centers, fulfillment centers and facilities used for the parking or moving of trucks, among other uses.

I am attaching hereto a February 8, 2024 email exchanged with Village Mayor Gary Grasso wherein he commits to prohibition of an industrial zone within the CNH property that would include "motor freight terminals, logistics centers, fulfillment centers and facilities used for the parking or moving of trucks ..."

Thank you for considering the above mentioned concerns. We hope that in the absence of a current land use study that the Plan Commission will reflect upon the existing 1999 Village Comprehensive Plan which clearly establishes that the Village is intended to be "a high quality suburban community with low density neighborhoods characterized by distinctive homes in natural wooded settings. Our Village accommodates residents who seek a sense of privacy in a tranquil environment. We desire to enhance the Village's physical beauty, keeping Burr Ridge a very special place."

Very truly yours,

Lisa M. Turano, individually and as Founder/Board Member B.R.A.I.D

Lisa M. Turano

Gioia Solano

Gioia Solano

Rocco Solano

Rocco Solano

From: [Turano, Lisa](#)
To: [Ella Stern](#)
Cc: [Gary Grasso](#); [Janine Farrell](#)
Subject: FW: FYI - Deerfield strengthening its Industrial zoning regulations
Date: Tuesday, April 30, 2024 4:59:27 PM

Please refer to the thread below and include it as part of my 4/30/24 correspondence regarding definition of warehousing v warehouse.

Lisa M. Turano
630.640.1124

From: Gary Grasso <ggrasso@burr-ridge.gov>
Sent: Thursday, February 8, 2024 5:07 PM
To: Turano, Lisa <lturano@turano.com>
Cc: Tony Schiappa <tschiappa@burr-ridge.gov>; guyfranzese@aol.com; Janine Farrell <jfarrell@burr-ridge.gov>
Subject: RE: FYI - Deerfield strengthening its Industrial zoning regulations

**CAUTION:THIS EMAIL ORIGINATED FROM OUTSIDE THE ORGANIZATION.
DO NOT CLICK LINKS, OPEN ATTACHMENTS, OR RESPOND UNLESS YOU
RECOGNIZE THE SENDER AND KNOW THE CONTENT IS SAFE.**

Lisa: appreciate your diligence on this subject. The article you forwarded (thank you) opens and stresses that the issue in Deerfield is: "...Amendments to the Deerfield industrial zoning code to prohibit motor freight terminals, logistics centers, fulfillment centers and facilities used for the parking or moving of trucks..."

Not only am I in agreement with that prohibition, I understand the Trustees are too – especially w our history with the now SAIA truck terminal we tried so hard to prevent when I was Mayor over 15 years ago. When it came to that DuPage based terminal, we repeatedly urged and tried to entice the unincorporated residents near SAIA to petition BR for annexation so SAIA could be surrounded by BR and then annexed to prevent it from going 24-7 (which DuPage Co allowed). We did not want a 24-7 truck terminal but could not convince the unincorporated resident to join BR in time. It went 24-7 and when we could annex it, we could not revert the days and hours of operation. We then did the best we could to limit the lighting and noise pollution issues.

While we still do not have a submission from Bridge, I will oppose a petition for motor freight terminals, logistics centers, fulfillment centers and or facilities used for the parking or moving of trucks on the CNH property. Business parks may have some day time truck traffic, if that is proposed, but we will draw the line against freight terminals and the like that Deerfield is understandably addressing./ GARY

GARY GRASSO, MAYOR
BURR RIDGE, IL 60527
630.654.8181 o
312.498.3202 c

This message, including attachments, is covered by the Electronic Communication Privacy Act, 18 U.S.C., sections 2510-2521, is CONFIDENTIAL and also may be protected by ATTORNEY/CLIENT PRIVILEGE. If you believe you received this e-mail in error, do not read it. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. If the reader of this message is not the intended recipient, I did not intend to waive and do not waive any privileges or confidentiality of this message or the attachments. Please reply to the sender that you have received the message in error, then delete it. Thank you for considering the environmental impact of printing emails.

From: Turano, Lisa <lturano@turano.com>

Sent: Thursday, February 8, 2024 4:28 PM

To: Gary Grasso <ggrasso@burr-ridge.gov>

Cc: Tony Schiappa <tschiappa@burr-ridge.gov>; guyfranzese@aol.com; Janine Farrell <jfarrell@burr-ridge.gov>

Subject: FYI - Deerfield strengthening its Industrial zoning regulations

Mr. Mayor,

I want to point out that due to the Baxter/Bridge debacle this past summer in Deerfield, the city of Deerfield is about to enact zoning changes that would effectively prohibit large warehouse and distribution facilities and provide for stricter review of other industrial uses through the special use review process. Similarly, Lake County's Board is likely to take up a review of its regulations on this subject later this year.

This is a result of elected officials being responsive to organized, persistent constituents. Members of B.R.A.I.D continue to encourage Burr Ridge elected officials to be proactive in our concerns regarding future development within the Village, particularly as it pertains to the CNH property.

Today's Tribune article provide a decent overview of what Deerfield is about to enact.
<https://www.chicagotribune.com/2024/02/08/deerfield-poised-to-prohibit-warehouse-and-distribution-facilities-its-important-to-set-that-expectation-so-they-can-choose-a-different-community/> I've attached a PDF of the same article.

Additionally, we have learned from a contact in Deerfield that the local State Senator Julie Morrison is working on a draft bill creating state guidelines on the topic of restrictions and review/approval criteria for large warehouse and distribution facilities. While specific details of her proposal are unknown, we know that she took a keen interest in what happened in Deerfield. She is in Springfield this week gathering support for her bill, meeting with the Illinois Municipal League and Northwest Municipal League to discuss proposed legislation.

Thank you for your continued interests in our concerns.

Lisa M. Turano
for B.R.A.I.D.
630.640.1124

From: [Ingrid Tepler](#)
To: [Ella Stern](#); [Janine Farrell](#)
Subject: TEXT AMENDMENTS WAREHOUSE Definition
Date: Tuesday, April 30, 2024 6:01:02 PM

April 30, 2024

Attention to : Ms. Stern and Plan Commissioners

Text Amendments to Section X.E, X.F, and XIV of Burr Ridge Zoning Ordinance to clarify and define the “warehouse” and “warehousing” using in L-I and G-I. I would propose that the Plan Commission carefully consider in which direction this village board and its constituents wish to see Burr Ridge prosper. It is slowly going to become an industrial suburb full of semi trucks rather than a wooded tranquil suburb if this L-I use allows more truck bays. We should work towards preserving our wildlife and tranquility rather than destroying it by welcoming more warehousing. I understand WHY developers want to put industrial here BUT I also understand why families would want to live here and pay a premium, at that, to be close to i55. There is so much wildlife in those 100+ acres currently owned by CNH that no doubt will be destroyed with the creation of the Bridge Industrial Park. Warehousing is a truck mecca. I would say LIGHT Manufacturing, no place that STORES products SOLELY for OTHER Companies, entities, people etc., No distributors, third party logistics also known as 3PL . No business moving products for others.

--

Ingrid Tepler
Cell (708) 602-1140

From: [Mary C. Bradley](#)
To: [Ella Stern](#)
Subject: RE: Text Amendment to the Zoning Code re: definition of warehousing
Date: Tuesday, April 30, 2024 5:09:32 PM

While I do not have the exact text of the amendment to be considered, and I reserve the right to add to this in the public hearing, I feel it is very important that language be found that restricts any warehousing or industrial use in LI districts that involves extensive use of semi-trucks, especially as it relates to land that has previously been classified as R-A, or currently holds the R-A designation. Current R/A codes stipulate that accessory uses, including fabricating, processing, assembly, testing, storing, repairing or servicing operations shall not occupy more than 30 percent of the total floor area developed on the lot. Can this be preserved??

We need to protect the character established in the High Grove and other BR industrial areas where industrial is passive and hidden. Hiding 100-200 semi truck bays doesn't sound "light industrial" as we know it in Burr Ridge. Additionally we feel it mandatory to protect the residential peace and tranquility expected in Burr Ridge.

There are changing business models these days, and studies only indicate there will be increased freight and distribution needs in the future that require semi-truck traffic - which indeed will increase pollution in our village. We don't want that! We must find a way to stop and control.

In the High Grove area, for instance, there are 18 buildings, the largest building being a little over 100,000 sq feet. That building only has 3 bays (1 for semis). Most truck loading docks are hidden behind closed garage doors, and the traffic that this homeowner has seen from site visits is primarily big box trucks -- NOT SEMI trucks (admittedly not so scientific - but personal drive through and parking experience). Even on the weekends, trucks are hidden -- either not there or enclosed inside the buildings. We want to preserve that environment. Additionally, I was surprised at how many enjoy their walk through High Grove on the weekends or evenings.

Respectfully submitted, Mary Bracley, 121 Surrey Lane, Burr Ridge.

PS. These comments should also be considered to G-1 districts. We have enough semi trucks coming into Burr Ridge -- we do NOT need any more. We always can "grandfather" but we can limit for the future.



VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Ella Stern, Planner

DATE: May 6, 2024

RE: Board Report

The Board of Trustees took the following actions relative to matters forwarded from the Plan Commission on April 22, 2024.

- **V-01-2024: 15W765 80th Street (LaConte)**
 - The Plan Commission's original recommendations were as follows: unanimous approval to permit a fence within a corner side yard setback, unanimous denial of a fence less than 50% open, and a motion to approve a fence in the front yard which failed with a 3 to 2 vote (meaning no recommendation was made).
 - At the April 8th Board meeting when the case was being considered, the Board directed staff to prepare an Ordinance approving the fence in the corner side yard setback and denying the requests for the fence less than 50% open and in the front yard. With the exception of the fence in the front yard which did not have a formal recommendation, this direction was unchanged from the Plan Commission's recommendations.
 - At the April 22nd meeting when the Ordinance was to be formally adopted, the Board approved an Ordinance approving the fence in the corner side yard setback which was unchanged from the Plan Commission's recommendation. The Board approved an Ordinance approving a fence less than 50% open which was a reversal of the Plan Commission's recommendation and the direction to staff on April 8th. The vote was 4 to 2 with the Mayor voting (four affirmative votes are required to pass a motion). The Board approved an Ordinance denying the fence in the front yard.

04/23/2024

Permits Applied for March 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRPM-24-061	03/05/2024	455 Madison St	King HVAC Systems, LLC (708) 630-8288 craymond@kingheating.com	Res Mechanical Permit
JRES-24-092	03/28/2024	8737 JOHNSTON RD	Pamela Self Landscape Architecture Ken Hor (630) 595-7665 dannapools@gmail.com	Residential Miscellaneous
JRES-24-088	03/27/2024	7340 Park Ave	Sifuentes Construction Inc (630) 488-6972 sifuentesconstructioninc@gmail.com	Residential Miscellaneous
JRES-24-069	03/15/2024	7801 Dana Way	24 Action Plumbing Olivia (773) 476-6666 24actionplumbing@gmail.com	Residential Miscellaneous
JRES-24-067	03/13/2024	9075 Turnberry Drive	Jackie Zuno (630) 808-0507 kriaz90@gmail.com	Residential Miscellaneous
JRES-24-062	03/06/2024	8410 Arrowhead Farm Dr	Ace Constructors LLC (708) 878-4197 aceconstructorsllc@gmail.com	Residential Miscellaneous
JRAL-24-093	03/29/2024	6300 WILDWOOD LN	LaMantia Enterprises, Inc. (630) 968-0140	Right-of-Way
JRAL-24-073	03/18/2024	ROWs Ck Cty Locations	Intren Trenching (815) 354-5557 dloftin@intren.com	Right-of-Way
JRAL-24-070	03/14/2024	15W351 87th St	Lifeway Mobility (847) 403-0120 marc.moore@lifewaymobility.com	Residential Alteration

04/23/2024

Permits Applied for March 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JRAL-24-063	03/06/2024	8011 Greenbriar Ct	Ismael's Concrete (630) 930-8138 info@ismaelsconcrete.com	Right-of-Way
JRAL-24-056	03/01/2024	7340 Park Ave	Sifuentes Construction & Landscaping (630) 488-6972 sifuentesconstructioninc@gmail.com	Right-of-Way
JRAD-24-072	03/19/2024	9601 Pacific Ct	TBD	Residential Addition
JRAD-24-055	03/01/2024	11241 72nd St	Timberbuilt, Inc (630) 443-7100 lwelbes@timberbuiltrooms.com	Residential Addition
JPS-24-087	03/27/2024	451 91st St	Olympik Signs (630) 424-6100	Sign
JPF-24-090	03/28/2024	6750 County Line Ln	Anabel Immordino (847) 732-2225 anabel0107@gmail.com	Fence Permit
JPF-24-089	03/28/2024	78 BURR RIDGE PKWY	max welding inc	Fence Permit
JPF-24-074	03/19/2024	145 Glenmora Dr	Baleigh Salvino (574) 721-5793 baleighsalvino@gmail.com	Fence Permit
JPAT-24-075	03/19/2024	7623 Drew Ave	Christian Morgil Concrete Service (312) 684-5263	Patio

04/23/2024

Permits Applied for March 2024



Permit Number	Date Applied	Property Address	Applicant Name & Contact Info	Description
JPAT-24-065	03/13/2024	1017 Laurie Ln	Montano's Landscaping (630) 930-8355 carlos@montanoslandscaping.com	Patio
JPAT-24-057	03/01/2024	7340 Park Ave	Sifuentes Construction & Landscaping (630) 488-6972 sifuentesconstructioninc@gmail.com	Patio
JELV-24-064	03/07/2024	7500 Willow Springs Road	Schindler Elevator (224) 570-7072	Elevator
JDS-24-066	03/13/2024	262 Shore Ct	Cantore Construction (630) 832-8600 brian@cantoreandcompany.com	Demolition Structure
JDS-24-060	03/04/2024	331 79th St	Rohner, Richard E & Amy L & Amy L (630) 632-4638 richrohner@hotmail.com	Demolition Structure
JDEK-24-091	03/28/2024	4 Arcadia Ct	One Stop Shop Property Solutions Christian criz1995@gmail.com	Deck
JDEK-24-071	03/15/2024	15W537 87th St	The Deck Guys (708) 526-3300 allenkirsch57@gmail.com	Deck
JDEK-24-059	03/04/2024	157 Pheasant Hollow Dr	CEW Construction (630) 330-7183 cewconstruction@hotmail.com	Deck
JCA-24-058	03/01/2024	6860 North Frontage Rd	Narvick Brothers Lumber Company, Inc. (815) 258-5236 barry.narvick@sbcglobal.net	Com Alteration

TOTAL: 27



Permits Issued March 2024

04/23/2024

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Zenex Construction	JRSF-23-459	03/26/2024	670 W 83rd St	Residential New Single Family	750,000	
24 Action Plumbing Olivia	JRES-24-069	03/27/2024	7801 Dana Way	Residential Miscellaneous	5,000	
Jackie Zuno	JRES-24-067	03/27/2024	9075 Turnberry Drive	Residential Miscellaneous	7,500	
Petkus, Albert M	JRES-24-054	03/14/2024	5 Regent Ct	Residential Miscellaneous		
GAURANG SARDESAI POOJA	JRES-24-012	03/07/2024	1 Ridge Farm Rd	Residential Miscellaneous	400	36
Aleksandar & Ivana Avramova &	JRDB-24-033	03/05/2024	11506 Ridgewood Ln	Residential Detached Building	20,000	530
Intren Trenching	JRAL-24-073	03/27/2024	ROWs Ck Cty Locations	Right-of-Way		
Ismael's Concrete	JRAL-24-063	03/08/2024	8011 Greenbriar Ct	Right-of-Way	20,000	
Sifuentes Construction & Landscap	JRAL-24-056	03/06/2024	7340 Park Ave	Right-of-Way	9,000	
Lemont Kitchen & Bath & Bath	JRAL-24-049	03/06/2024	16W253 93rd Pl	Residential Alteration	65,000	106
Intren Trenching	JRAL-24-037	03/19/2024	311 Shore Dr	Right-of-Way		
Elik Home & Remodeling inc	JRAL-24-035	03/15/2024	1132 Woodview Rd	Residential Alteration	16,750	36
RLC Development and Constructi	JRAL-24-030	03/08/2024	703 Burr Ridge Club Dr	Residential Alteration	450,000	2,546
Bradford & Kent Builders	JRAL-23-442	01/25/2024	8490 Walredon Ave	Residential Alteration	140,000	775
Timberbuilt, Inc	JRAD-24-055	03/29/2024	11241 72nd St	Residential Addition	84,000	
TBD	JRAD-24-003	03/01/2024	7234 Central Ave	Residential Addition	105,000	2,280
Thatcher Oaks, Inc.	JPS-24-051	03/27/2024	104 BURR RIDGE PKWY	Sign	2,600	
Platinum Poolcare Aquatech, Ltd.	JPPL-24-006	03/05/2024	7606 HAMILTON AVE	Pool	215,000	
First Fence	JPF-24-050	03/26/2024	324 BURR RIDGE PKWY	Fence Permit	5,295	

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

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

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



Permits Issued March 2024

04/23/2024

Permit Applicant	Permit Number	Date Issued	Property Address	Description	Value	Sq. Feet
Jamal Jarad	JPF-23-016	03/27/2024	8473 Clynderven Rd	Fence Permit	500	
Christian Morgil Concrete Service	JPAT-24-075	03/27/2024	7623 Drew Ave	Patio	3,500	
Sifuentes Construction & Landscaping	JPAT-24-057	03/06/2024	7340 Park Ave	Patio	48,750	
Gomez Construction & Design	JPAT-24-046	03/27/2024	6816 FIELDSTONE DR	Patio	20,000	
Hursthouse, Inc. Jeff True	JPAT-24-039	03/13/2024	912 Prairie Ridge Ct	Patio	90,000	
Jim Hoselton	JGEN-23-410	03/13/2024	15W0 35 W 80th St	Generator	11,000	
CEW Construction	JDEK-24-059	03/15/2024	157 Pheasant Hollow Dr	Deck	12,000	120
Clinton Laing	JCA-23-457	03/20/2024	800 Village Center Dr	Com Alteration	397,879	10,798
Production Plus Technologies	JCA-23-419	03/11/2024	124 Tower Dr	Com Alteration	2,000	96
TOTAL:	28					

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.

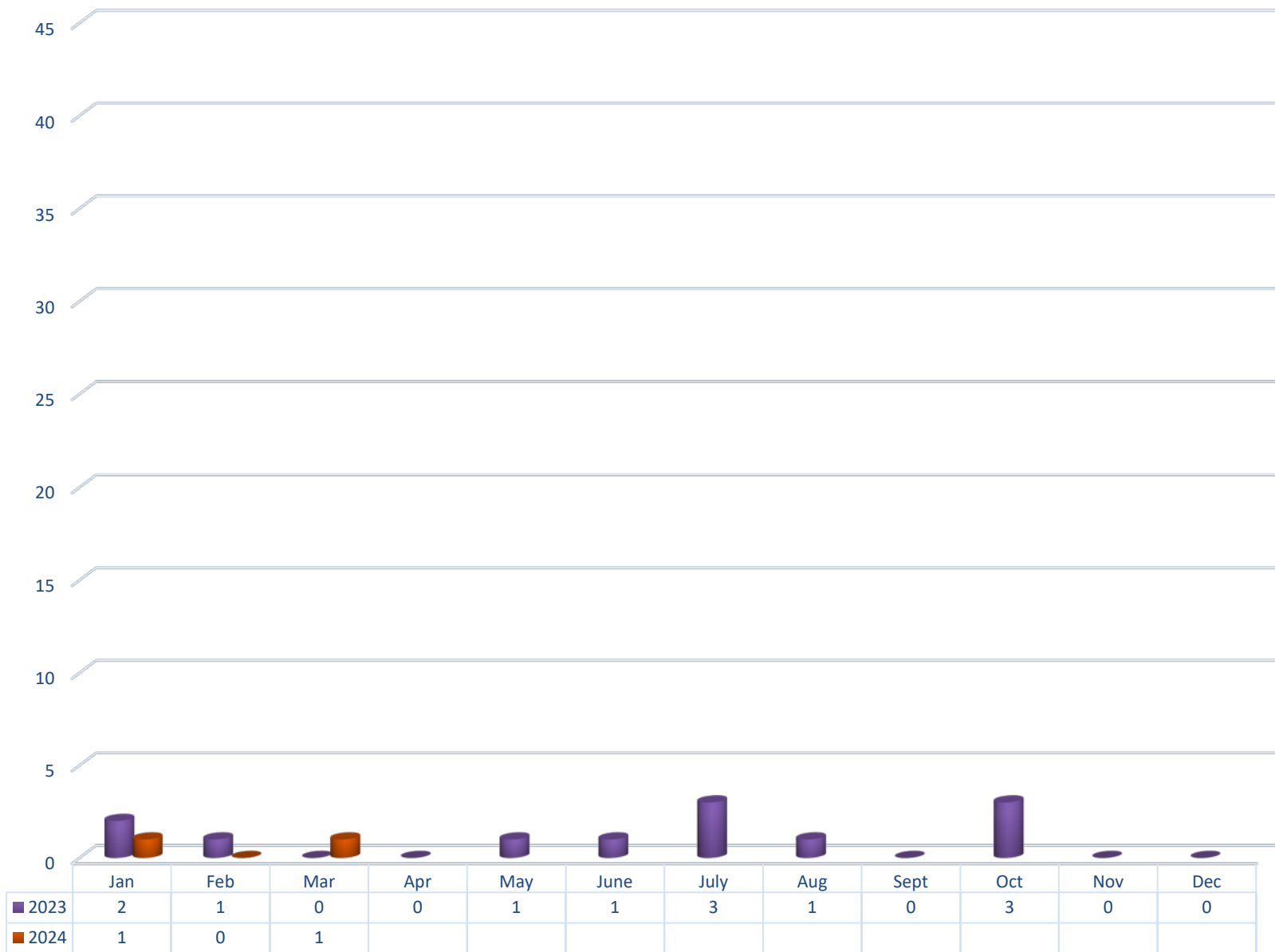
Construction value or square footage will not be reflected for miscellaneous permits such as: decks, fences, pools, driveways, etc.

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		\$295,919		\$90,000	\$385,919
	[0]	[3]	[0]	[1]	
MARCH	\$750,000	\$860,750		\$399,879	\$2,010,629
	[1]	[6]	[0]	[2]	
APRIL					
	[]	[]	[]	[]	
MAY					
	[]	[]	[]	[]	
JUNE					
	[]	[]	[]	[]	
JULY					
	[]	[]	[]	[]	
AUGUST					
	[]	[]	[]	[]	
SEPTEMBER					
	[]	[]	[]	[]	
OCTOBER					
	[]	[]	[]	[]	
NOVEMBER					
	[]	[]	[]	[]	
DECEMBER					
	[]	[]	[]	[]	
2024 TOTAL	\$2,250,000	\$1,641,109	\$0	\$489,879	\$4,380,988
	[2]	[13]	[0]	[3]	

Village of Burr Ridge New Housing Permits 2023 Compared to 2024





VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Ella Stern, Planner

DATE: May 6, 2024

RE: **PC-01-2024 Annual Zoning Review –Additional Review**

The Plan Commission held its Annual Zoning Ordinance Review on January 15, February 5, and February 19, 2024. Six considerations were identified in the Annual Zoning Ordinance Review as potential text amendments. They are as follows:

1. Definition of Family: The Plan Commission asked the Board to direct them 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 with reducing the number of unrelated people residing together. To date, staff has not experienced issues with this new definition. The Plan Commission may wish to remove this from the list.
2. Definition of Boarding, Rooming, and Lodging Homes: The Plan Commission asked the Board to direct them 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.
3. Height of a Detached Garage Door: The Plan Commission asked the Board to direct them to hold a public hearing on amending the regulation for a detached garage door height, increasing it from 9 ft. to 10 ft.
4. Location of Masonry Piers: The Plan Commission asked the Board to direct them to hold a public hearing to review the regulations regarding the location of masonry piers, potentially permitting them in the front yard.
5. Definition and Classify Use for CILA Homes: The Plan Commission asked the Board to direct them to hold a public hearing to define and classify the use for Community Integrated Living Arrangements (CILA Homes).
6. Administrative Variation: The Plan Commission asked the Board to direct them to hold a public hearing 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 seeks further clarification regarding direction on the following proposed text amendments. The direction from the discussions held on January 15, February 5, & February 19, 2024, was unclear to staff regarding the potential text amendment language and the requested amendments. Some items appeared to be a request for information on existing regulations as opposed to

direction from the Board to hold a public hearing to change the regulations. For each of the items below, if the Plan Commission wishes to change the regulations, staff will need to know what the potential text amendment change would be to make the request of the Board.

1. Outdoor Storage of Vehicles and Equipment: Under current Zoning Ordinance Regulations, Section X.F.2.k regulates outside storage in the General Industrial District. Current regulations state that outdoor storage requires a special use provided that storage is located to the rear of the principal building, is screened on all sides, does not exceed the height of the screening, and is not visible from any adjacent streets or residential areas.
2. Decibel Level Regulations for Swimming Pool Equipment: Under current Zoning Ordinance Regulations, Section IV.I.32 regulates swimming pool equipment. Current regulations state swimming pool equipment shall not generate noise exceeding 75 decibels measured 23 feet from the equipment pad. With the increase in the pool equipment pad, staff has not experienced equipment unable to meet this noise limitation. For reference, this is the same regulation for generators.
3. Tree Removal Regulations: Under current Municipal Code Regulations, Section 57.05 regulates tree removals. Current regulations state no person shall remove five or more trees from any lot of record located within the corporate boundaries of the Village without first filing an application for and obtaining a permit.
4. Lot Consolidation Process: Under current Subdivision Ordinance Regulations, Section I.B.2 regulates exemptions for certain land divisions, meaning no formal Plat of Subdivision or approval by the Board of Trustees is necessary. There is no Board of Trustee or Plan Commission review or approval process for lot consolidations; instead, the County manages the processing of these requests. Staff are involved to ensure that the parcels are in the same zoning district and subdivision and that there are no zoning or access issues.