



**VILLAGE OF BURR RIDGE
ZONING ORDINANCE**

ORDINANCE NUMBER 834

**ADOPTED AUGUST 11, 1997
AS AMENDED THROUGH May 9, 2016**



BURR RIDGE ZONING ORDINANCE

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BURR RIDGE ZONING ORDINANCE

SECTIONS I & II TITLE, PURPOSE AND INTENT

SECTION 1

This Ordinance shall be known, cited and referred to as the Burr Ridge Zoning Ordinance.

SECTION II

A. PURPOSE

This Ordinance is adopted for the purpose of:

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;
3. Conserving the taxable value of land and buildings; and
4. Enhancing aesthetic values generally throughout the Village of Burr Ridge.

B. INTENT

To those ends this Ordinance is intended to accomplish certain standards and objectives by:

1. Dividing the entire Village of Burr Ridge into districts and restricting and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and land, whether of residential, business, manufacturing, or other specified uses;
2. Avoiding or lessening congestion in the public streets;
3. Preventing the overcrowding of land through regulating and limiting the height and bulk of buildings hereafter erected as related to land area;
4. Establishing, regulating, and limiting the building or setback lines on or along streets, alleys, or property lines;
5. Regulating and limiting the intensity of the use of lot areas, and regulating and determining the area of open spaces within and surrounding such buildings;
6. Establishing standards to which buildings or structures therein shall conform;
7. Prohibiting uses, buildings, or structures incompatible with the character of the residence, business, or manufacturing districts;
8. Preventing additions to, and alterations or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations hereunder imposed;
9. Providing for the gradual elimination of those uses, buildings and structures which



are incompatible with the character of the districts in which they are located, including, without being limited thereto:

- a) Elimination of such uses of unimproved lands or lots when the existing rights of the persons in possession thereof are terminated, or when the uses to which they are devoted are discontinued;
 - b) Elimination of uses to which such buildings and structures are devoted, if they are adoptable for permitted uses; and
 - c) Elimination of such buildings and structures when they are destroyed or damaged in major part, or when they have reached the age fixed herein as the normal useful life of such buildings or structures;
10. Defining and limited the powers and duties of the administrative officers and bodies as hereinafter provided; and
 11. Prescribing penalties for the violation of the provisions of this Ordinance, or of any amendment thereto.



BURR RIDGE ZONING ORDINANCE
SECTION III
INTERPRETATION AND SEPARABILITY

A. INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals, and general welfare.

1. Where the conditions imposed by any provision of this Ordinance upon the (a) use of land, buildings, or structures; (b) height of buildings or structures; (c) floor area requirements; (d) lot area and width requirements; (e) yard and other open space requirements; and (f) other provisions of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.
2. This Ordinance is not intended to abrogate any easement, covenant, or other private agreement; provided, that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easement, covenants, or other private agreements, the requirements of this Ordinance shall govern.
3. No buildings, structures, or uses not lawfully existing at the time of the adoption of this Ordinance shall become or be made lawful solely by reason of the adoption of this Ordinance; and to the extent that, and in any manner that said unlawful building, structure or use is in conflict with the requirements of this Ordinance, said building, structure, or use shall remain unlawful hereunder.

B. SEPARABILITY

It is hereby declared to be the intention of the Board of Trustees of the Village of Burr Ridge that the several provisions of this Ordinance are separable, in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provisions of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment; and
2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.



BURR RIDGE ZONING ORDINANCE

SECTION IV GENERAL REGULATIONS

A. SCOPE OF REGULATIONS

1. No building or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall hereafter be erected, raised, moved, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the district in which it is located. No building or land shall be devoted to any use other than one which is specified as a permitted or special use by the district regulations applicable to the district in which such building or land is located as herein set forth in Sections VI, VII, VIII, IX, and X. However, where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this Ordinance, and where construction has been begun prior to such effective date and is being prosecuted to completion, said building or structure may be completed in accordance with approved plans on the basis of which the building permit was issued and further, may, upon completion, be occupied under a certificate of occupancy for the use or uses originally designated, subject to the provisions herein set forth in Section XIII of this Ordinance.

B. ALLOWABLE USE OF LAND, BUILDINGS, OR STRUCTURES

1. The following uses of land, buildings, or structures are allowed in the districts indicated hereinafter in Sections VI, VII, VIII, IX, and X under the conditions herein specified in this Ordinance.
2. Except as otherwise provided in Section XII, uses lawfully established and existing on the effective date of this Ordinance, except uses lawfully established and existing on the effective date of this Ordinance and rendered non-conforming by the provisions herein shall be subject to the regulations of Section XII.
3. Permitted uses as designated in Sections VI, VII, VIII, IX, and X.
4. Special uses as designated in Sections VI, VII, VIII, IX, and X.; A classification of special uses is hereby established to provide for such "special" uses hereinafter specified that have a unique, special or unusual impact upon the use or enjoyment of neighboring property. Due to the unique characteristics of the special uses, special standards and other conditions for their locations and development are herein set forth for each special use in the district regulations. A special use shall be granted only upon evidence that such use meets standards established for such classification in this Ordinance and any other applicable ordinances of the Village of Burr Ridge. The granting of permission therefore may be subject to conditions reasonably necessary to meet such standards. Additions or alterations to existing building or land improvements or expansion for a use herein designated as a special use shall conform with standards and other conditions governing the special use as herein set forth for the district in which it is located.



C. CONTROL OVER BULK

1. All buildings existing as of the date of adoption of this 1996 Comprehensive Amendment that were in lawful compliance with the provisions of the Burr Ridge Zoning Ordinance at the date of their construction shall be construed to be in compliance with this Comprehensive Amendment. If any such building is subsequently destroyed in whole or in part, such shall then become subject to the provisions of the "non-conforming building, structures and uses" section of this Ordinance. All new buildings shall conform to the bulk regulations established herein for the district in which each building is located. No modification or alteration of any building, or any subdivision of any land, shall conflict or further conflict with the bulk regulations of this Ordinance for the district in which such existing building or land is located.

D. LOTS OF RECORD IN RESIDENCE DISTRICTS

1. Notwithstanding the requirements of the subsection above, in a Residence District a lot of record in single-ownership which is located in a subdivision recorded prior to the effective date of this Comprehensive Amendment or a parcel of land under single-ownership which existed as of January 1, 1980, and which was not a part of any other parcel as of that date, but which does not conform with the requirements of this Comprehensive Amendment as to minimum lot area or lot width, may be used for a single-family detached dwelling, provided there is conformance with all other applicable regulations of this Comprehensive Amendment (except as may otherwise be permitted by the Community Development Director as set forth in subsection 5 below) and the following requirements, provided however that as an exception to these regulations, a lot that has been previously legally subdivided and recorded but combined with another lot may be returned to the originally platted and recorded dimensions provided that the majority of the lots on both sides of the street, on the same block, and in the same rezoning district are equal or greater in area and width to said lot may be used for a single-family detached dwelling: (Ord. A-834-07-05)
2. The applicant shall furnish with the application for a building permit a certified survey of current date showing the following:
 - a. The lot or parcel upon which he proposes to erect a single-family detached dwelling;
 - b. The lots or parcels on either side of the lot or parcel upon which he proposes to erect a single-family detached dwelling, with all improvements thereon; and
 - c. Widths of adjoining side yards, with any projections of buildings or structures into the adjoining side yards duly spotted by the surveyor.
3. The applicant shall furnish with the application for a building permit an affidavit by the owner of record of the lot or parcel described in the application, which shall state the following:
 - a. That the owner is not holding title to any contiguous lot or lots or parcels either in his or her own name, or jointly with anyone else, or in trust or for the benefit of the owner or any other person, and that the owner has no beneficial interest in any such contiguous lot or lots or parcels;



2. Permitted accessory buildings as per Sections IV.H and IV.I, herein, shall be allowed on a lot with a principal building.
3. A permit for construction of a second single-family dwelling on a lot may be issued for the purpose of allowing a property owner to continue residing in an existing single-family dwelling while a new single-family dwelling is under construction. Said permit shall be subject to the following:
 - a. The new dwelling shall be completed and a Building Certificate of Occupancy issued within one year after issuance of the building permit.
 - b. The original dwelling shall be razed within 30 days after issuance of a Building Certificate of Occupancy for the new dwelling. The grade and landscape within and surrounding the original dwelling shall be restored and all construction material, debris, etc. shall be totally removed within 60 days after issuance of the Building Certificate of Occupancy.
 - c. Prior to issuance of the building permit for a new dwelling, the property owner shall deposit funds in a cash escrow with the Village of Burr Ridge or shall post a letter of credit drawn on a bank to be approved by the Village. The cash escrow or letter of credit shall be in an amount sufficient to cover all costs related to the demolition of the original dwelling. If a letter of credit is used, such letter of credit shall be drawn for the benefit of the Village and on such terms and conditions as shall be satisfactory to the Village. The cash escrow or letter of credit shall be in an amount equal to 125% of the cost of demolition of the existing dwelling. The estimated cost of demolition shall be based on written estimates from qualified demolition companies and shall be subject to the approval of the Community Development Director. The Village of Burr Ridge shall use the funds for demolition of the original dwelling if the property owner fails to comply with the terms and conditions herein. (Amended by Ordinance A-834-5-98)

F. **LOT DIVISION**

1. **Compliance with Zoning Ordinance**

No lot shall hereafter be divided in order to secure one or more additional lots for transfer of ownership and establishment of a principal use thereon, unless each lot resulting from such division shall meet all requirements of this Ordinance for the district in which the lot is located.

2. **Side Lot Lines for Lot Divisions**

No lot shall hereafter be divided in any manner unless all new side lot lines created by said lot division shall be substantially at right angles or radial to the street line. Side lot lines cannot be made irregular for the purpose of establishing compliance with the minimum lot size requirements of this Ordinance.



G. **YARDS, COURTS AND OTHER OPEN AREAS**

1. **Required Yards, Courts, and Open Areas**

Yards, courts or other open areas required in district regulations shall be provided for all new uses or additions or enlargements of existing uses. Such required yards, courts and other open areas shall be located on the same lot that is designated, at the time of issuance of the building permit, as the lot comprising the site for the new principal use or the lot containing the existing use with additions or enlargements thereto.

2. **Through Lots**

a. Front yards shall be provided along both lot lines adjoining streets; provided, however, if either of said yards also will constitute the rear yard of the lot, such yard shall conform to the larger of the two different (front or rear) yard requirements. Any such combined yard which is both the front and rear yard shall not contain obstructions which would otherwise be permitted in rear yards. Provided, however, if the lot is in a subdivision which has a recorded covenant prohibiting access from the adjoining thoroughfare and the subdivision has constructed an approved subdivision fence across the rear lot line, the obstructions that are allowed in rear yards under this Ordinance shall be permitted on such through lot (the rear yard shall be the yard with the fence).

(1) The subdivision has constructed an approved subdivision fence across the rear lot line;

(2) A dedicated landscape easement along the rear lot line where the use of a substantial berm and landscaping in accordance with applicable Village regulations and a landscaping plan submitted to and approved by the Community Development Director. All such buffering shall be as close to 100 percent opacity as possible, including during the dormant stage of such landscaping. (Amended by Ordinance A-834-12-06)

b. Either of the lot lines adjoining a street may be established by the Community Development Director as the front lot line; except where a front lot line has been established by an existing use on one or more lots in a block, the front lot line of the through lot shall be along such same street line. Provided, however, in blocks containing two or more through lots having front lot lines not established on the same street line, the front lot line on the remaining lots shall be as designated by the Community Development Director.

c. Vehicular access drives to a through lot shall be prohibited from the thoroughfare, which abuts the rear property line. The Community Development Director may require a covenant to be recorded, which prohibits access via the street abutting the rear property line.

d. On a through lot which has its rear yard abutting a collector or arterial street (as classified by the Village of Burr Ridge Comprehensive Plan) and does not have an approved subdivision fence adjacent to or within the rear yard, a berm and landscaping shall be provided in said rear yard for the purpose of

screening accessory structures and uses from the adjoining thoroughfare. Said berm and landscaping shall be subject to the approval of the Community Development Director and shall be provided at such time that a principal or accessory building is constructed.

3. Corner Lots

In all Residence Districts, the front yard shall be along the lot line adjoining the street that has the shortest dimension. (Amended by Ordinance A-834-19-01)

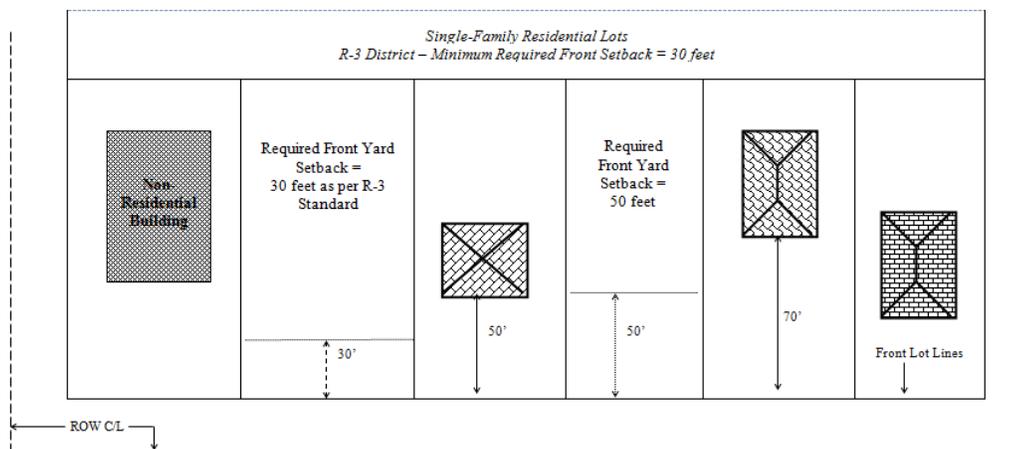
4. Yard Requirements Along District Boundary Lines

Yards, courts or other required open areas that abut or are across an alley or street from a district having greater yard, court or other open area requirements, shall comply with requirements of the adjacent district.

5. Building Setback Lines

- a. Where 40 percent or more of the lots along the same side of the street in the same block have front yard setback lines established by detached single-family dwellings, the front setback line for each remaining detached single-family dwelling shall be not less than the lesser setback of the two adjacent detached single-family dwellings. If only one adjacent detached single-family dwelling exists, the front yard setback shall be not less than the minimum front yard setback otherwise required by the applicable district requirements. Lots that have frontage on the turnaround of a cul de sac street shall be excluded from this requirement. See figure IV.G.5 below for a graphic example of the application of this section. (Amended by Ordinance A-834-9-01, Ordinance A-834-21-01, Ordinance A-834-13-11).

Figure IV.G.5 Building Setback Lines



- b. Along streets duly designated as thoroughfares on the Comprehensive Plan and Official Map of the Village of Burr Ridge, the established future right-of-way line of the thoroughfare shall be considered the front property line for purposes of determining the required setbacks and permitted obstructions in yards, courts, or other open areas.



H. **GENERAL REGULATIONS FOR ACCESSORY BUILDINGS, STRUCTURES AND USES**

Accessory buildings, structures and uses shall not be erected or altered in required yards, courts or other open areas, except those that are herein permitted as obstructions in yards, courts, or other open areas. All accessory buildings, structures and uses shall comply with the following regulations and all other regulations of this Ordinance.

1. **Accessory to Principal Building**

Accessory buildings, structures and uses shall be accessory to and compatible with the principal use. Human occupancy of an accessory building or structure is expressly prohibited except as may be specifically allowed herein.

2. **No Construction Prior to Principal Building**

No detached or attached garage or accessory building may be constructed on a lot previous to the house being constructed except that a garage or approved accessory building may be erected for tool and material storage after the foundation for the house is completed and approved.

3. **Keeping of Livestock, Chickens, and Bees as Accessory Uses in Residential Districts**

Except as otherwise expressly provided herein, accessory buildings or structures shall not be used for the keeping of livestock, poultry or rabbits, whether for profit or not, unless said buildings or structures meet the following requirements:

- a. All livestock, poultry, and rabbits (except up to a maximum of two rabbits kept as household pets and except for chickens and bees as regulated herein) shall be kept only on lots or parcels of at least five acres in size. (Amended by Ordinance A-834-05-14)
- b. There shall be no more than one horse or other livestock, poultry, and rabbits for each 20,000 square feet of lot area except for chickens and rabbits as regulated herein.
- c. Accessory buildings or structures for livestock shall be located at least 50 feet from the side or rear lot lines.
- d. Chickens, also referred to herein as domestic hens or hens, are permitted on properties of one acre or more and zoned for single-family residential use subject to the following terms and conditions:
 - (1) A maximum of four domestic hens are permitted;
 - (2) The keeping of roosters and the slaughtering of any chickens is prohibited;
 - (3) Hens shall be kept in an enclosure at all times and the enclosure shall comply with the following:
 - (a) The area of the enclosure shall not exceed 150 square feet.



- (b) The enclosure shall be designed for the specific purpose of keeping chickens, to prevent access by wild animals, and to prevent attraction of rodents.
 - (c) The enclosure shall include an open area enclosed with hardware cloth that is buried at the perimeter at least six inches in the ground.
 - (d) The enclosure shall be considered an accessory building for purposes of zoning, shall comply with all zoning regulations for accessory buildings not specifically modified herein, and shall be subject to the issuance of permit.
- (4) The enclosure shall be located in the rear buildable area of the property with a minimum setback from the interior side and corner side lot lines equal to the setback of the principal building and may encroach into the required rear yard setback subject to a minimum setback from the rear lot line of 10 feet.
- (H.3.b,c,d amended by Ordinance A-834-23-12).
- e. Bee colonies maintained as a hobby by a resident of the same property and which is not for commercial purposes are permitted as within the R-1, R-2, R-2A, R-2B, and R-3 Districts subject to the following terms and conditions:

- (1) All bees shall be of the common domestic honey bees of the *Apis Mellifera* species.
- (2) All bee colonies and beekeepers shall be registered with the Illinois Department of Agriculture as required by the Illinois Bees and Apiaries Act (510 ILCS 20/1 et seq.) and shall comply with all applicable regulations of said Department and legislation as may be amended from time to time.
- (3) All colonies must be kept in inspectable-type hives, with removable combs, which shall be kept in sound, usable and sanitary condition.
- (4) All colonies must be kept within the rear yard and rear buildable area with a minimum setback from all lot lines of 15 feet.
- (5) Bee hives shall be kept within one or more contiguous bee hive structure(s) with a combined area not exceeding 8 square feet and 6 feet in height.
- (6) Lots having 80,000 square feet of lot area or less shall not have more than two colonies. Lots exceeding 80,000 square feet of lot area may have a maximum of four colonies.
- (7) In any instance where a bee colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to re-queen the colony. Queens shall



be selected from a stock bred for gentleness and non-swarming characteristics. (H.3.e Added by Ordinance A-834-05-14)

4. **Setback and Location of Accessory Buildings and Structures**

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.

5. **Rear Yard Setbacks on Corner Lots and Through Lots**

- a. On corner lots accessory buildings and structures shall be located not nearer to the rear lot line than the distance of the required side yard for the lot adjoining the rear lot line and not nearer to the side street line than the distance required for a side yard adjoining a street, or in the case of a reverse corner lot, this distance shall equal the required front yard on such lot adjoining the rear lot line
- b. On through lots that do not have a rear lot line adjoining a no-access strip accessory buildings and structures shall be located not nearer to the rear lot line adjoining a street than the distance required for a front yard.

6. **Distance Between Buildings**

Accessory buildings shall be separated by at least 10 feet from the principal building and from all other accessory buildings on a lot.

7. **Distance from a Corner Side Lot Line**

No detached or attached accessory building hereafter erected or altered shall project nearer to a lot line adjoining a street than the distance equivalent to the shortest distance between such lot line and the nearest wall of the principal building.

8. **Height of Accessory Buildings**

The height of accessory buildings in residential districts shall comply with the following;

- a. In no case shall the roofline of an accessory building be higher than the roofline of the principal building.
- b. No accessory building shall exceed one story or 15 feet in height as defined in *Section XIV – Building Height* of the Zoning Ordinance – whichever is lower except as permitted herein for accessory buildings in an R-1 or R-2 District.
- c. An accessory building in an R-1 Single-Family Residence District may be two stories and may be 25 feet as defined in *Section XIV – Building Height* of the Zoning Ordinance.
- d. An accessory building with a gable, hip, or gambrel roof in an R-2 Single-Family Residence District may have an absolute height to the peak of the



roof of 22 feet 6 inches or an average height of 15 feet as defined in *Section XIV – Building Height* of the Zoning Ordinance. (Amended by Ordinance A-834-02-07)

- e. Overhead Door Height (Residential): The vertical distance from the bottom of the overhead door opening to the top of the overhead door opening shall not exceed 9 feet in height. (Amended by Ordinance A-834-07-07).

9. **Combined Horizontal Floor Area of Accessory Buildings and Structures**

- a. The combined horizontal area of all accessory buildings, structures, and uses shall not exceed 30 percent of the area to the rear of the principal building.
- b. The combined horizontal area of all accessory buildings shall not exceed 60% of the horizontal floor area of the principal building.

10. **Number and Floor Area of Detached Accessory Buildings**

For each lot of record in a residential district, the number and floor area of permitted accessory buildings shall be as follows:

- a. **R-1 District:** For a lot of record in an R-1 District that meets the minimum lot area requirement as per Section VI.B of this Ordinance, accessory buildings shall be permitted as follows:

- i. **Maximum Number:** 2
Plus one additional building for every 2 acres that the property exceeds 5 acres.

- ii. **Maximum Floor Area Per Building:** 3,000
square feet

- b. **R-2 District:** For a lot of record in an R-2 District that meets the minimum lot area requirement as per Section VI.C of this Ordinance, accessory buildings shall be permitted as follows:

- i. **Maximum Number:** 2

- ii. **Maximum Floor Area Per Building:** 2,500
square feet

- c. **R-2A or R-2B District:** For a lot of record in an R-2A or R-2B District accessory buildings shall be permitted as follows:

- i. **Maximum Number:** 2
Plus one additional building for every 2 acres that the property exceeds 5 acres.

- ii. **Maximum Floor Area For Building 1:** 0.0475 (4.75%)
FAR & 2,500
square feet

Building 1 refers to the only accessory building on a lot or the larger of two accessory buildings on a lot. The maximum



floor area for Building 1 cannot exceed 0.0475 FAR and 2,500 square feet, whichever is less. FAR, or floor area ratio, is the total floor area of the accessory building divided by the total lot area.

Maximum Floor Area For Building 2:

750
square feet

Building 2 refers to the smaller of two accessory buildings on a lot.

d. **R-3 or R-4 District:** For a lot of record in an R-3 or R-4 District detached accessory buildings shall be permitted as follows:

i. **Maximum Number:** **2**
Plus one additional building for every 2 acres that the property exceeds 5 acres.

ii. **Combined Maximum Floor Area Ratio:** **0.0375 (3.75%)**
Combined floor area ratio is the total floor area of all accessory buildings divided by the total lot area.

iii. **Combined Maximum Gross Floor Area:** **1,500**
square feet
Combined maximum gross floor area is the sum of all detached accessory building floor areas on a lot of record.

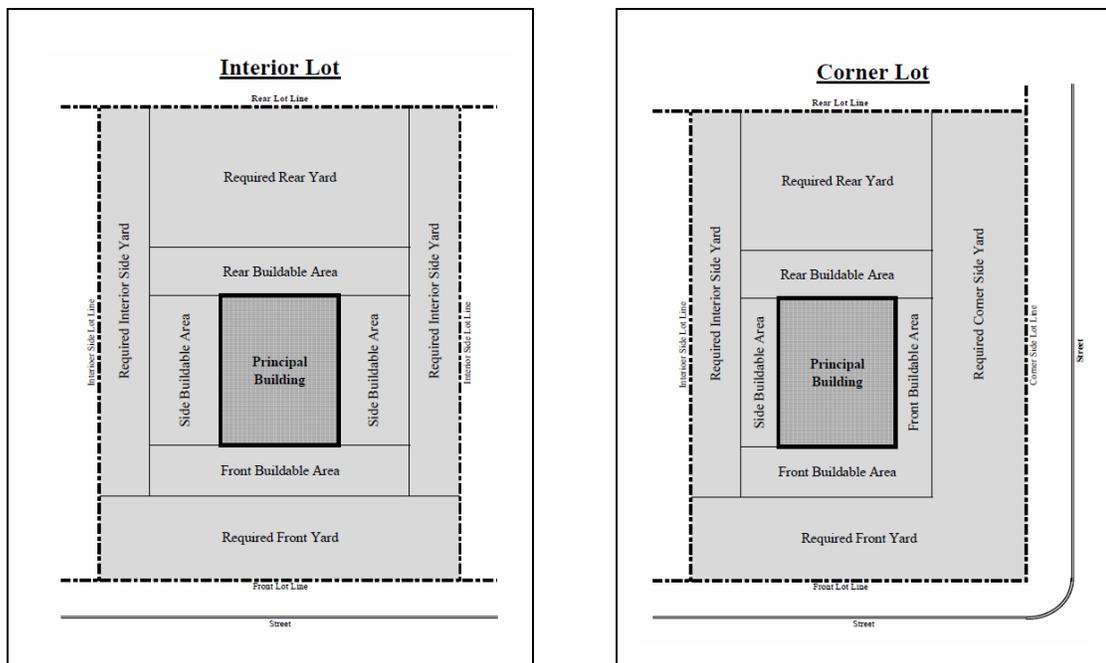
iv. **Minimum Permitted Floor Area:** **750**
square feet
For lots that are less than 20,000 square feet, the maximum floor area for an accessory building shall be 750 square feet regardless of the FAR.
(Section IV.H.10 Amended by Ordinance A-834-20-06)



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

The buildings, structures, and uses listed below may be located in buildable areas on a lot and may encroach into required yards as shown on the following graphics and as defined in Section XIV of this Ordinance or as may otherwise be specified in this Ordinance. (Amended by Ordinance A-834-13-11)

Figure IV.I Required Yards and Buildable Areas



1. Detached Accessory Buildings in Residential Districts

Detached buildings accessory to permitted residential uses are permitted in the rear buildable area and may also be located in a required rear yard but not closer than 10 feet to the rear lot line. Detached buildings accessory to residential uses are also subject to the regulations in Section IV.H above. (Amended by Ordinance A-834-20-06)

2. Access Driveways and Walks

Access driveways and walks are permitted in all buildable areas of a lot in all districts and may also project into any required yard but not closer than 2 feet from the side lot line as extended to the street pavement except that the radius of flare within the driveway apron (right-of-way) may encroach into the 2 foot setback provided that it does not encroach beyond the property line as extended to the street pavement (also see Appendix VI). (Amended by Ordinance A-834-5-98)



3. **Arbors or Trellises**

Arbors or trellises, and trellises attached to the principal building are permitted in a side or rear buildable area or within a court yard and may also project not more than 3 feet into any required yard.

4. **Air Conditioning Equipment and Shelters**

Air conditioning equipment and shelters may be located within a court yard or within the buildable area between the principal building and the corner side lot line (but not in the buildable area between the principal building and the front lot line) and may also project into the required side yard and rear yard setbacks if said equipment or shelter is located not less than 5 feet from the side or rear wall of the principal building. However, under no circumstance may such units be located within 15 feet of the façade of the principal building facing the front lot line nor shall any such units encroach into a required side or rear setback by more than 5 feet. All air conditioning units and shelters must be adequately screened with year-round landscaping material. (Amended by Ordinance A-834-20-00)

5. **Architectural Entrance Structures**

Architectural entrance structures, on a lot not less than 70,000 square feet in area, are permitted in a front, side or rear buildable area and are also permitted in the required front yard. Architectural entrance features at an entrance to a subdivision are permitted as regulated by the Village of Burr Ridge Subdivision Ordinance. (Amended by Ordinance A-834-8-00)

6. **Balconies**

Balconies extending from and attached to the principal building may be located in the front, side, or rear buildable area or within a court yard and may also project not more than 6 feet into a required rear yard. (Amended by Ordinance No. A-834-01-05)

7. **Basketball and Similar Athletic Courts (not including driveways)**

Basketball and similar athletic courts shall be permitted on single-family residential properties in the rear buildable area and may encroach into the required rear yard provided a 10-foot setback from the rear property line is provided, that a setback from the side property line in compliance with the interior or corner side yard setback of the district is provided, and that the court complies with all other regulations for accessory structures in residential areas. (Amended by Ordinance A-834-5-98).

8. **Bay Windows**

Bay windows are permitted in the front, side or rear buildable area and in a court yard and may also project not more than three feet into any required yard.



9. **Bridges (Open and Uncovered), Spillways, and Similar Architectural Structures**

Such structures may be located in the front, side, or rear buildable area of a lot and within 10 feet of any lot line provided the lot exceeds five acres in area. (Amended by Ordinance A-834-29-01)

10. **Chimneys**

Chimneys, attached to the principal building, are permitted in front, side, and rear buildable areas and also may project not more than 24 inches into any required yard.

11. **Dog Runs**

Dog runs shall be permitted in residential districts subject to the following:

- a. No dog run shall be erected, placed or altered on a lot unless approved by the Community Development Director and a permit is issued for the same. For purposes of this section, a dog run shall be defined as an enclosed area intended to contain one or more dogs.
- b. Dog runs shall be obscured from view from neighboring properties and adjacent streets by the planting of shrubbery according to a landscape plan to be approved by the Community Development Director prior to issuance of the permit.
- c. All dog runs must be located in the buildable area directly behind and adjacent to the principal building. In no event shall a dog run encroach into a required setback or be located closer to a corner or interior side property line than the principal building.
- d. Dog runs shall be situated on a lot so that the longest dimension of the dog run is parallel with the principal building.
- e. No dog run shall be in excess of 250 square feet in area, nor more than six feet (6') in height above the surface of the ground, as measured from the ground level at the lowest grade level within five feet of either side thereof.
- f. Fences enclosing a dog run may be constructed of any material permitted for a residential fence as per Section IV.J herein or may be constructed of a vinyl coated, chain link fence made of a color compatible with the surrounding landscape.

12. **Driveway Gates (Residence Districts)**

Gates across private driveways shall be permitted on parcels in residential districts that are a minimum of 2 acres in area and have a front or corner side lot line with a minimum of 150 feet of street frontage (Amended by Ordinance A-834-13-11). All driveway gates must comply with the following terms and conditions:



- a. Driveway gates are permitted in a front buildable area and are also permitted in the required front and corner side yard but not closer to the front or corner side lot line than 30 feet. However, for each 3 feet of lot frontage less than 220 feet, an additional one foot setback shall be provided. For example, for a 2 acre lot with 160 feet of lot frontage, the minimum required setback from the front lot line shall be 50 feet $[30 + ((220 - 160) / 3) = 50]$. (Amended by Ordinance A-834-13-11).
- b. One gate per driveway is permitted.
- c. Driveway gates and related architectural entrance structures may not exceed six feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
- d. The primary materials for driveway gates and related architectural entrance structures are limited to natural stone, masonry, wrought iron, or similar materials.
- e. Driveway gates are subject to the issuance of a permit and are subject to access requirements by the Fire District having jurisdiction over the property. (Amended by Ordinance A-834-24-07 and Ordinance A-834-26-08)

13. **Eaves and Gutters**

Eaves and gutters on principal buildings or detached accessory buildings are permitted in all buildable areas and may also project not more than four feet into the required front or rear yard and not more than two feet into a required side yard. (Amended by Ordinance A-834-9-01)

14. **Fallout Shelters**

Fallout shelters (attached or detached) are permitted in the rear buildable area, when conforming also to other codes and ordinances of the Village.

15. **Fences – See Section IV.J**

16. **Fire Escapes and Fire Towers**

Fire escapes, open or enclosed, or fire towers may be located in any buildable area in business and manufacturing districts only and may project into a required front yard or side yard adjoining a street by not more than five feet and into a required interior side yard not more than three and one-half feet.

17. **Fireplaces and Grills, Outdoor**

Masonry fireplaces including gas or wood grills may be located in the rear buildable area and are also permitted in the required rear yard of a residential property, but not closer than 10 feet to any principal or accessory building, not closer than 10 feet to the rear lot line and not closer than the required side yard setback to the interior side yard. Outdoor fireplaces and grills may not exceed the maximum height of 15 feet and 20



square feet in area. (Amended by Ordinance A-834-07-12)

18. Flagpoles

Flagpoles may be located in any buildable area and are also permitted in the required front or rear yard, but not closer than 10 feet to the lot line. A maximum of three flag poles shall be permitted on a lot and flagpoles may not exceed 25 feet in height in residential districts nor more than 40 feet in height in non-residential districts. (Amended by Ordinance A-834-09-15)

19. Fountains, Related Water Features, and Related Equipment Shelters

Fountains and related water features, with water depths not exceeding 2 feet, are permitted in the front and rear buildable area and may also be located in the required front and rear yards, but not closer than 10 feet to the front and rear lot line. Related equipment shelters are not permitted in a front buildable area or a required front yard and may be located in a rear buildable area and a required rear yard provided they are a minimum of 10 feet from the rear lot line. (Amended by Ordinance A-834-9-01)

20. Garden or Farm Crops

Garden (in the open) or gardens which are largely enclosed by bushes, hedges, or trees and where the enclosure includes a freestanding architectural wall or monument shall be permitted in the interior side and rear buildable areas and are also permitted in the required rear yard but not closer than 10 feet from a rear lot line. Any architectural wall or monument built in conjunction with a garden shall be subject to the following restrictions:

- a. The façade of the wall or monument shall be limited to stone or brick that replicates the façade of the principal dwelling and in no case shall it include exposed concrete blocks.
- b. There shall be no more than one such wall or monument and it shall be no more than eight feet in height and cannot exceed 15 feet and 15 percent of the total length or surface area of the total perimeter area of the garden enclosure, whichever is less.
- c. The exterior side of any wall or monument used to enclose a garden shall be screened with landscaping.
- d. All such walls or monuments shall comply with the required side yard setback of the underlying zoning district and shall be at least 10 feet from rear property lines.
- e. Architectural wall or monument enclosing a garden shall only be permitted on properties of two acres or greater. (Amended by Ordinance A-834-11-06)

21. Generators – Residential

Natural gas or propane generators provided for standby electrical power but not as a primary power source are permitted subject to the following



standards;

- a. Generators may be located within a court yard, in an interior side, corner side, or rear buildable area or within the buildable area between the principal building and the corner side lot line and may also project into the required interior side yard and rear yard setbacks if said equipment or shelter is located within 5 feet from the side or rear wall of the principal building. However, under no circumstance may such units be located within 15 feet of the façade of the principal building facing the front lot line nor shall any such units encroach into a required side or rear setback by more than 5 feet.
- b. Generators must be adequately screened with year-round landscaping material.
- c. Generators shall not generate noise exceeding 75 decibels measured 23 feet from the generator.
- d. Generators must be enclosed by a sound attenuated box or cabinet that shall not exceed 28 square feet in area or 5 feet in height. Any noise reducing mufflers provided by the manufacturer shall be utilized. (Amended by Ordinance A-834-8-00 and A-834-22-11)

22. **Kitchens, Outdoor**

Outdoor kitchens (typically being a masonry structure with a cook top and oven, plumbing, cabinet storage areas, and counter top) may be located in the rear buildable area and are also permitted in the required rear yard of a residential property subject to the following:

- a. Outdoor kitchens must be a minimum of 10 feet from the rear lot line and not closer than the required side yard setback to the interior side yard.
- b. Outdoor cooking appliances shall maintain a minimum distance from combustible materials as recommended by the appliance manufacturer or a minimum distance of 10 feet. (Amended by Ordinance A-834-10-13).
- c. Outdoor kitchens may not exceed 5 feet in height and 60 square feet in area except that a chimney provided for a stove or fireplace may extend to 15 feet in height. (Amended by Ordinance A-834-19-12).

23. **Lawn Furniture**

Lawn furniture, such as benches, sun dials, bird baths, and similar architectural features, may be located in any buildable area and are also permitted in the required front or rear yard, but not closer than 10 feet to the front, corner side or rear lot line.



24. Open Off-Street Loading – Non-Residential

Open off-street loading spaces may be located in the side or rear buildable area and are also permitted in the required rear yard, subject to those regulations set forth in Section XI of this Ordinance.

25. Open Off-Street Parking

Open off-street parking spaces may be located in the interior side or rear buildable area and may also be located in a required interior side or rear yard provided a minimum setback of 8 feet is provided from an interior or rear lot line. Unless otherwise specifically allowed elsewhere in this Ordinance, open off-street parking spaces shall be at least 10 feet from a building wall.

In all Business Districts, open off-street parking spaces may also be in a front buildable area or a required front yard or corner side yard provided a minimum 15 foot setback is provided from the front and corner lot lines.

Open Off-Street Parking shall also comply with Section XI herein.

26. Ornamental Light Standards

Ornamental light standards, defined as light standards with a prefabricated, monopole design, may be located in any buildable area and are also permitted in the required front or rear yards, but not closer than 10 feet to the lot line. Such ornamental light standards shall not exceed 10 feet in height. However, the location of the light on the ornamental light standard shall not be more than 8 feet above grade and all lighting shall comply with the performance standards as per Section IV.W.7 herein. (Amended by Ordinance A-834-6-99, A-834-07-12).

27. Playground and Laundry Drying Equipment

Playground and laundry-drying equipment may be located in the rear buildable area and are also permitted in the required rear yard, but not closer than 10 feet to the lot line.

28. Ponds (Private)

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

29. Satellite Dishes, See Section IV.S

30. Sills, etc.

Sills, belt courses, cornices, and ornamental features attached to the



principal building may be located in any buildable area and may project not more than 18 inches into any required yard.

31. **Steps (Open)**

Steps (open), below or above grade and necessary for access to and from a dwelling or an accessory building may be located in any buildable area and are also permitted in the required yards not closer than 10 feet to a lot line, provided there are no more than eight steps for access to and from a principal or accessory building. Steps built at grade shall be considered a walk and shall be regulated by Section IV.I.2 herein. (Amended by Ordinances A-834-9-01 and A-834-23-06)

32. **Swimming Pool Equipment**

Equipment for swimming pools and spas are permitted subject to the following standards;

- a. Pool equipment may be located within a court yard, in an interior side, corner side, or rear buildable area or within the buildable area or within the buildable area between the principal building and the corner side lot line and may also project into the required interior side yard and rear yard setbacks if said equipment is located within 5 feet from the side or rear wall of the principal building. However, under no circumstance may such equipment be located within 15 feet of the façade of the principal building facing the front lot line nor shall any such units encroach into a required side or rear setback by more than 5 feet.
- b. Pool equipment must be adequately screened with year-round landscaping material.
- c. Pool equipment shall not generate noise exceeding 75 decibels measured 23 feet from the equipment pad.
- d. Pool equipment shall not exceed 28 square feet in area or 5 feet in height. (Added by Ordinance A-834-07-12).

33. **Swimming Pools (Private)**

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

34. **Terraces, Patios and Decks**

Terraces, patios, and decks may be located in a side buildable area, a rear buildable area or a court yard and are also permitted in the required rear yard, but not closer than 10 feet to the lot line.



35. Tennis Courts (Private)

Tennis courts (private) may be located in the rear buildable area on residential properties and are also permitted in the required rear yard but not closer than 10 feet to the lot line. A fence may be located at the perimeter of a tennis court subject to the following conditions:

- a. No such fence shall exceed the height of 10 feet.
- b. Materials for tennis court fences may include green vinyl coated chain link or a comparable material as may be determined appropriate by the Community Development Director.
- c. The view of tennis court fences from adjacent properties shall be obscured by the planting of shrubbery, evergreen trees, or comparable plant materials subject to the approval of the Community Development Director.

36. Trash Dumpsters – Non-Single-Family Residential

All facilities for the collection of garbage, refuse, ashes and similar waste materials shall comply with Chapter 50 of the Village of Burr Ridge Municipal Code. Dumpsters for the storage of such waste materials shall be permitted to be located on non-residential properties subject to compliance with the following conditions:

- a. Dumpsters shall be located within a principal or accessory building or adjacent to the rear wall of the principal building. If the property is adjacent to a residential property, the Community Development Director may approve an alternate location for the purpose of ensuring that a dumpster is not located in proximity to the residential property.
- b. Dumpsters shall be enclosed on all sides with solid walls of a material and color compatible with the principal building. Wall enclosures for dumpsters may be masonry or solid wood subject to the review and approval of the Community Development Director. The access gate to a dumpster shall be properly maintained and kept latched except when being used.
- c. There shall be no more than one dumpster enclosure for a building (or one per tenant for a multiple-tenant building) and said dumpster enclosure shall be used only for the enclosure of a trash dumpster.

37. Trees, Shrubs and Flowers

Trees, shrubs, and flowers may be located in any buildable area and are also permitted in any required yard.

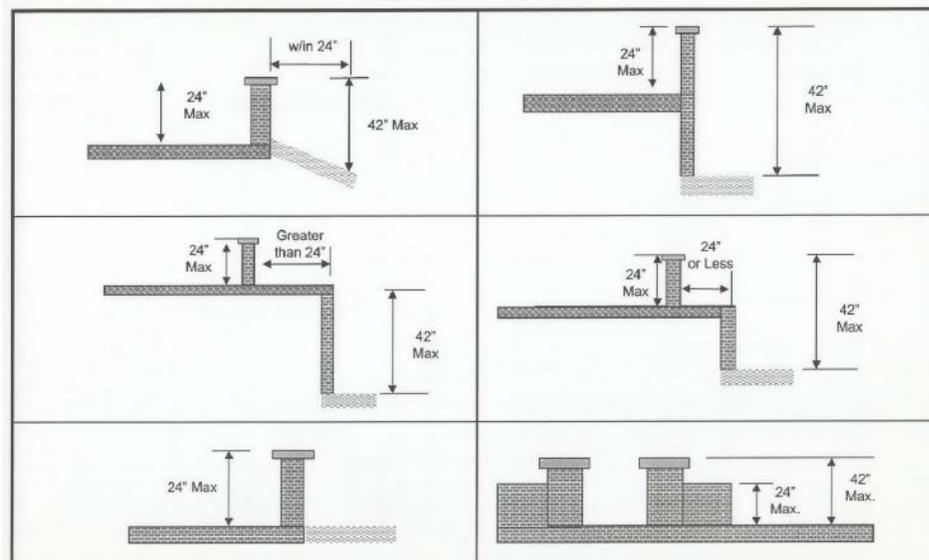


38. **Walls and Masonry Piers (Residence Districts)**

In Residence Districts only, solid architectural walls of compatible building material as the principal building shall be permitted as follows:

- a. **Wing Walls;** Wing walls, not more than 4 feet in height, shall be permitted in a front buildable area, an interior side buildable area or court yard extending not more than 10 feet from the front two corners of the principal building; and may also project up to 3 feet into the required front or corner side yard.
- b. **Solid or open decorative walls;** Solid or open decorative walls, not more than 4 feet in height may be located in court yards.
- c. **Patio Seat Walls;** Patio seat walls, not more than 24 inches in height from patio floor to the top of wall and not more than 42 inches measured within 2 feet of the base of the wall shall be permitted in association with patios in permitted locations as per Section IV.I.32. Monuments in association with patio seat walls shall be not more than 42 inches in height from the patio floor to the top of the monument and shall be limited to not more than two per patio. (Amended by Ordinance A-834-20-04)
- d. **Driveway Seat Walls;** Driveway seat walls, not more than 24 inches in height from drive floor to the top of wall and not more than 42 inches measured within 2 feet of the base of the wall shall be permitted in association with driveways in permitted locations as per Section IV.I.2. Driveway seat walls may not project into the required front yard and must be setback at least 2 feet from the side property line. (Amended by Ordinance A-834-20-04)

Examples of Permitted Patio & Driveway Seat Walls





- e. **Decorative Estate Walls;** For parcels that are a minimum of 2 acres in area and 220 feet in width, decorative estate walls shall be permitted subject to the following terms and conditions:
 - i. Decorative estate walls shall not exceed 4 feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
 - ii. Decorative estate walls shall not exceed 4 feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence.
 - iii. Decorative estate walls may be located in any buildable area and shall be permitted to encroach into the required front, corner side, interior side, and rear yard setbacks but shall be setback a minimum of 30 feet from the front and corner lot lines and 10 feet from the interior side and rear lot lines.
 - iv. Decorative estate walls shall be constructed of natural stone materials – synthetic or manufactured materials and wood are prohibited.(Amended by Ordinances A-834-24-07 and A-834-26-08).

- f. **Retaining Walls;** Retaining walls may be located in any buildable area and are also permitted in any required yard subject to the following:
 - i. Retaining walls shall not exceed 42 inches in height measured from the top of grade at the bottom of a wall to the top of the wall.
 - ii. Terraced retaining walls shall be permitted where each section of the wall does not exceed 42 inches in height and a minimum of 36 inches is provided between each face of the retaining walls. (Amended by Ordinance A-834-13-11)

- g. **Masonry Piers;** A maximum of four masonry piers are permitted in the rear buildable area of a residential lot and may encroach into the required rear yard provided a 10-foot setback from the rear lot line is provided and that they do not exceed 6 feet in height and four square feet in area. (Amended by Ordinance A-834-10-13)



39. **Wine Cellars, Underground Basketball Courts, and Underground Swimming Pools**

Underground wine cellars, underground basketball courts, and underground swimming pools may be located in any buildable area and are also permitted to in a required rear yard provided that a minimum setback of 25 feet is provided from the rear lot line. The horizontal area of underground wine cellars, underground basketball courts, and underground swimming pools – in combination with the horizontal area of all other accessory buildings, structures and uses – shall not cover more than 30% of the area to the rear of the principal building as per Section IV.H.4.c.2 herein. (Amended by Ordinance A-834-23-00 and A-834-14-15)

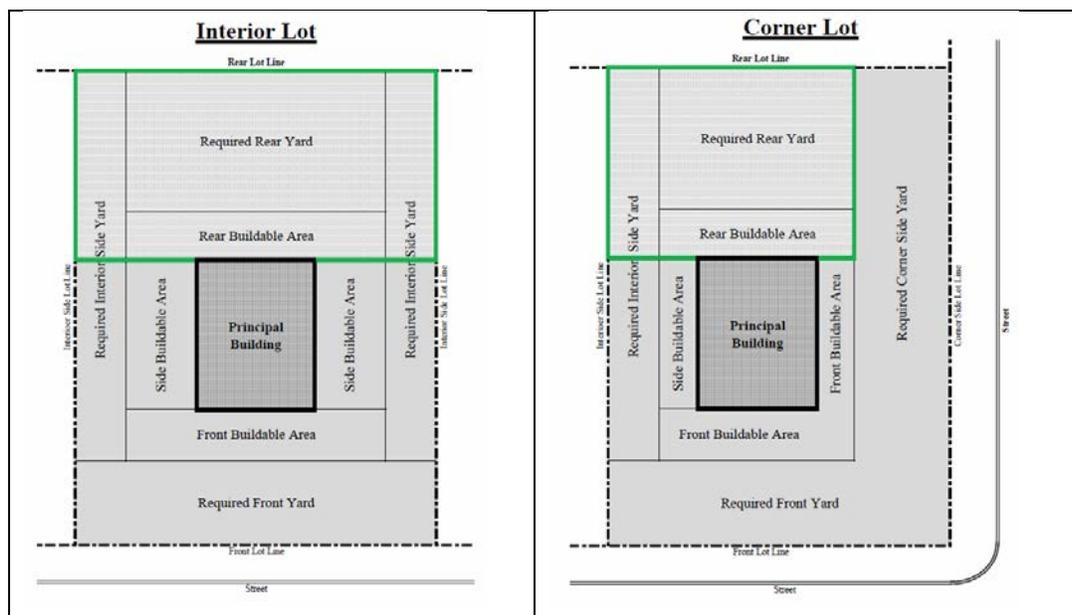
J. **FENCES**

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

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

- a. 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.
- b. Such fences shall be permitted, unless otherwise provided herein, along the rear lot line and along the side lot lines extending no further toward the front of the lot than the rear wall of the principal building on the lot. Except, however, on corner lots such fences shall extend not nearer to the corner side lot line than the required corner side yard setback. (Amended by Ordinance A-834-13-11)

Figure IV.J.1.b Permitted Residential Fence Locations





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

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



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

1. **Fences -- in non-residence districts**

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

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



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

2. Fences for Swimming Pools

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

K. PARKING AND STORAGE OF TRAILERS, MOBILE HOMES, MOTOR HOMES, BOATS, TRUCKS, COMMERCIAL VEHICLES, AND BUSES

Trailers, mobile homes, motor homes, boats, trucks, commercial vehicles, and buses may be parked on private property subject to the following regulations:

1. Trailers, Mobile Homes, Motor Homes, and Boats

For purposes of this section, trailers, mobile homes, motor homes, and boats shall be hereinafter collectively referred to as trailers and shall comply with the following regulations:

- a. Trailers shall not be permitted to be used as dwelling units in any district as principal or accessory uses on a lot.
- b. Trailers shall not be parked or stored in the open on any lot, except one trailer owned by the occupant of a dwelling on the same property may be stored or parked in the rear buildable area or the required rear yard of a lot containing a dwelling, provided that the trailer is no wider than 8.5 feet and no longer than 35 feet, or when herein permitted in the operations of a lawfully established trailer sales establishment. (Amended by Ordinances A-834-4-02 and A-834-13-11)
- c. Temporary parking and use of trailers shall be permitted when approved by the Community Development Director for the following purposes:
 - i. Parking in the open and use of a trailer owned by the occupant of the dwelling for lodging purposes on a lot containing a dwelling, provided it is not parked or used thereon more than two days (or any portion thereof) in any consecutive 30-day period.
 - ii. Parking in the open and use of a trailer for lodging purposes on a lot during reconstruction of the dwelling on the lot when that dwelling has been destroyed by fire, tornadoes, or other acts of nature or otherwise beyond the control of the owner; provided that such use shall only be allowed when such reconstruction commences within a reasonable period of time after destruction of the original dwelling and further provided such reconstruction continues without cessation on a reasonable construction schedule.



- iii. Parking and use of trailers for temporary office or storage uses incidental to and only for the period of time of land development and/or the construction of a building provided such trailers are located on the same or contiguous lots as the building or land development and are at such location as approved by the Community Development Director.
- d. One boat owned by the occupant of the dwelling may be stored or parked in the rear yard of a lot containing a single-family detached dwelling, provided no major repair, disassembly, or rebuilding operations are conducted thereon.

2. **Trucks, Commercial Vehicles, and Buses - Residential Districts**

Off-street parking facilities accessory to residential uses shall be used principally for the parking of passenger automobiles. Overnight, outside parking of commercial vehicles, as defined herein, is prohibited but may be permitted in a fully enclosed building or structure upon any lot or parcel of land in a residential district in accordance with the following provisions:

- a. Commercial vehicles may be stored and/or parked overnight only in a fully enclosed building or structure.
- b. No commercial vehicle shall be permanently affixed to the ground.
- c. No more than a combined total of two (2) commercial vehicles may be stored or parked overnight in a fully enclosed building or structure upon any lot or parcel of land, except as hereinafter provided.
- d. Only one (1) commercial vehicle may be stored or parked overnight for each unit in a duplex, two-family, multi-family, or townhouse structure, provided it is in a fully enclosed building or structure.
- e. For purposes of this section commercial vehicles shall be defined as follows:
 - i. Any vehicle exhibiting lettering or logos advertising a business related enterprise (other than traditional bumper stickers).
 - ii. Any vehicle with attached auxiliary equipment including, but not limited to plows, equipment, racks, storage boxes or lockers.
 - iii. Any vehicle requiring a vehicle license of Class D as regulated by the State of Illinois including but not limited to trucks, cargo vans, commercial limousines, and buses. (Amended by Ordinance A-834-19-06)
 - iv. Any vehicle containing products, equipment, debris, or materials intended for commercial or business use whether in the open, in a cargo storage area, or covered by removable material or fabric.
 - v. Any van that does not have seating behind the driver's seat and the front passenger seat or without side windows adjacent to the rear seating area such as panel vans. (Amended by Ord. A-834-03-03)



3. **Semi-Tractors and Other Similar Vehicles – Residential Districts**

Off-street parking facilities accessory to residential uses shall be used for the parking of passenger automobiles only. Parking of any vehicle with a registered weight of 16,000 pounds or greater and requiring a vehicle license of Class F or greater as regulated by the State of Illinois including but not limited to semi-tractors and other heavy vehicles is prohibited in all residence districts. (Amended by Ordinance A-834-12-07)

L. **SEWER AND WATER SYSTEMS**

1. **Connection to Public Sewer and Water Systems**

Each use hereafter established which requires sewer and water facilities shall be served by public or community sewer and water systems. However, such uses, hereafter established on lots in areas that are not served with public sewers or water systems may be served with individual sewage disposal systems or private wells, provided the Board of Trustees shall (a) find, after receiving the recommendation of the Plan Commission, that it is impractical to extend public or community sewer or water lines to serve the area, and (b) there is an irrevocable commitment by the owners of the lot that connections shall be made to a public or community sewer or water system not less than six months after any such system has been installed or extended to serve the lot.

2. **Standards for Private Systems**

Installation of individual sewage disposal systems and private wells or community sewer and water systems shall be in accordance with standards and specifications set forth in applicable laws of the Village, county, and state, or other applicable governmental agencies.

3. **Minimum Lot Size**

Any lot or parcel which is to be used for a single-family detached dwelling served with an individual sewage disposal system shall have an area of not less than one acre and a width of not less than 150 feet or a greater area or width if required to conform with regulations contained in Section IV.L.2 above; provided, however, any lot or parcel containing, as of December 1, 1991, a single-family detached dwelling served by an individual sewage disposal system can continue to be served thereby (until a community sewer system becomes available) regardless of lot size or lot width but only if it complies with all other applicable regulations and provided further no such lot or parcel may be divided in any manner until such time as it is served by a community sewer system.

M. **STORM WATER DETENTION & RETENTION PONDS AND FLOOD-PLAIN AREAS**

Storm water detention and retention ponds shall be allowed in all districts when approved by the Village either as a separate use or as accessory to a permitted use. Any development on any lot or parcel which contains any flood-plain area (as defined by applicable Village, county, state or federal rules, regulations, ordinances or laws) shall comply with all applicable ordinances, laws, rules and regulations of all governmental authorities having

jurisdiction thereof. Specific attention must be given to the flood plain regulations set forth in the Burr Ridge Municipal Code.

N. **BUILDING HEIGHT AND PERMITTED ROOF TOP EQUIPMENT OBSTRUCTIONS**

No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit herein established for the district in which the building is located, except as follows:

1. **Exceptions in Non-Residential Districts**

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, radio and television antennas, wireless masts, water tanks, silos, storage hoppers, elevators, or similar structures may be erected above the height limits herein prescribed in any non-residential district. However, such rooftop obstructions shall not exceed by more than ten (10) feet the height of the existing or proposed building, on which the structure is located, except as otherwise indicated below. The 10' obstruction shall be measured as follows:

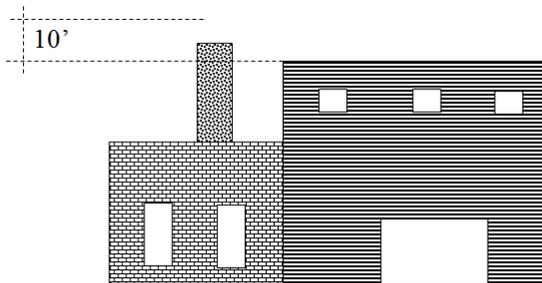


Figure IV.C.E.1
Rooftop Obstructions
in Non-Residential Districts
(Amended by
Ordinance A-834-13-11)

2. **Exceptions in Residential Districts**

Skylights, chimneys, radio and television antennas and wireless masts, and church steeples may be erected above the height limits herein prescribed in any residential district. However, such rooftop obstructions shall not exceed by more than ten (10) feet the height of the existing or proposed building, on which the structure is located, except as otherwise indicated below. Solar Collectors may be erected as rooftop obstructions subject to the following (Amended by Ordinance A-834-17-08):

- a. Appearance and Materials: Solar collectors should be neutral in color and generally matching the roof color of the principle structure. All such devices shall have the following characteristics:
 - i. Not be plastic or other non-UV stable material;
 - ii. Include factory finished aluminum frames;
 - iii. Where devices are encased with glass, the glass shall be non-reflective tempered glass; and
 - iv. No accessory or ancillary equipment associated with solar collectors located on front or corner side elevations shall be permitted to the



- exterior of the home greater than twelve (12) inches at the base of the solar collector before entering the roof;
- v. Exterior accessory or ancillary equipment associated with solar collectors may be permitted to the rear and side elevations only. No such exterior equipment shall be permitted to extend over and around the eaves, gutters, or soffit. The equipment shall be wrapped or encased in pre-finished aluminum material or material of similar quality to match the design and character of the single-family home; and
 - vi. No accessory or ancillary equipment associated with solar collectors for new residential construction shall be permitted to the exterior of the home.
- b. Solar collectors shall not extend beyond the edge of a roof and not extend beyond the hip rafter on hip-roofed buildings. (Amended by Ordinance A-834-03-14)
 - c. Height: Solar collectors shall be subject to the following height requirements:
 - i. Sloped Roof: Solar collectors located on sloped-roof buildings may not extend higher than the ridge, must be parallel to the pitch of the roof, and extend no more than six (6) inches higher than the roof surface on which they are located
 - ii. Flat Roof:
 - a. Solar collectors located on flat-roofed buildings may not exceed the maximum building height by more than four feet (4').
 - b. Solar collectors located on flat-roofed buildings must not be visible from any street-facing façade at the front or street side property line.
 - d. Solar collectors integrated into the structure or building cladding: Solar collectors integrated into the structure of building cladding shall be subject to the bulk requirements of the zoning district in which the structure or building is located.

O. UTILITY EXEMPTIONS

The following public utility uses are permitted in any district: poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, and valves or other similar distributing equipment, provided that the installation and location shall conform with the rules and regulations of applicable administrative authorities, the requirements of the Subdivision Regulations Ordinance of the Village, applicable height restrictions set forth in this Ordinance, and any other ordinances or regulations of the Village, as well as any applicable franchise agreements or ordinances.



P. TEMPORARY MODEL RESIDENTIAL UNIT REGULATIONS

Temporary model residential units shall be used primarily to offer for sale or rental dwelling units located within the same subdivision or planned unit development in which the model unit is located. The following regulations shall govern the operation of a model unit (as well as any other applicable rules, regulations and ordinances of the Village).

1. Upon request by the Village of Burr Ridge, the owners of the property shall provide information relating to the use of the model unit, including but not limited to, a record of sales or rentals made from the model unit.
2. Building materials shall not be stored upon the lot on which a model unit is situated.
3. Model units may only be shown to potential customers and realtors between the hours of 8:00 a.m. and 9:00 p.m.
4. Sales offices, rental offices, and construction offices may be contained in a model unit provided that the appearance of the model unit is not substantially different from that of the other dwelling units in the subdivision or planned unit development, and further provided that the hours of operation of any such offices shall be restricted to between the hours of 6:30 a.m. and 10:00 p.m.
5. A temporary off-street parking lot is required with the number of parking spaces to be as approved by the Community Development Director.
6. Exterior floodlights may be used to illuminate the model home, provided that lights are sufficiently screened so that private dwelling units and nearby vehicular traffic are not adversely affected by the floodlights.

Q. SIGN CONTROL

The regulations and standards contained within the Village of Burr Ridge Sign Ordinance, Chapter 55 of the Burr Ridge Municipal Code, shall regulate the construction, installation and maintenance of all signs within the Village, including but not limited to location and size. While such sign regulations and standards apply to any signs within the Village, the provisions of such Sign Ordinance shall not be construed to also be provisions of this Ordinance.

R. HOME OCCUPATIONS

In all Residence Districts and for all residential uses in non-residential districts (Amended by Ordinance A-834-13-11), any customary home occupation shall be permitted provided that:

1. It is conducted entirely within the dwelling by a member of the family residing in the dwelling and when such home occupation is incidental and secondary to the use of the dwelling for dwelling purposes.
2. It is not conducted from a detached or attached accessory building or require internal or external alteration, or involve construction features or use of equipment not customary, either as to its use or size, in a dwelling (except one copying machine



and one FAX machine shall be allowed), and the entrance to the space devoted to such occupation shall be from within the dwelling and not more than one-fourth of the floor area of a story including also a cellar of the dwelling is devoted to such home occupation.

3. There is no display or activity that will indicate from the exterior of the dwelling that it is being used in whole or in part for any use other than a dwelling.
4. Only a member of the family residing on the premises, plus only one additional person, whether or not a member of such family conducts it.
5. No mechanical equipment (except as provided above and except any personal computer) is used, except such as is customarily used for purely domestic or household purposes.
6. No stock in trade is kept or sold including also such as are made on the premises, or services rendered on the premises that require receipt or delivery of merchandise, goods or equipment by other than U.S. letter carrier mail service or the passenger automobile of the person conducting the home occupation.
7. No home occupation shall be allowed which is of a nature that will necessitate customers and/or personal deliveries to come to the dwelling either for goods, services and/or the business product (either goods or written products), except home day care as regulated herein.
8. A home occupation conducted by a professional person shall be only for consultation or performance of religious rites, but not for the general practice of the professional.
9. Teaching of musical instruments and dancing shall be conducted only in a single-family detached dwelling and then to not more than two pupils at one time, and academic or religious instruction may be given to not more than six pupils at one time in a single-family detached dwelling, not more than one pupil at one time in any other type dwelling unit.
10. Day care centers, subject to site plan review and the following provisions:
 - a. That no more than six (6) children are permitted, including the children of the home day care operator aged 16 or under.
 - b. That the type and ages of children cared for and the provision of service minimally conforms to the current limitations and requirements of the Illinois Department of Children and Family Services and other applicable law for this use.
 - c. That outside activity is permitted for this use. The outside activity area shall be fenced, said fence to be otherwise in compliance with Village zoning requirements, or if not fenced, then adult (18 or older) supervision is required at all times.
 - d. That this use is permitted in single family detached dwellings only and not in multi-family units such as condominiums or townhomes.
 - e. That the hours of operation shall be between 7:00 a.m. and 6:00 p.m.



- f. Unless otherwise specifically provided in this subparagraph 10, all other requirements related to home occupations shall apply to this use.

S. SATELLITE DISHES

Satellite dishes shall comply with the following regulations:

- 1. Satellite dishes and other signal receiving equipment shall comply with the regulations set forth in the Burr Ridge Building Ordinance.
- 2. Satellite dishes with a diameter of one meter or less are permitted in residential areas.
- 3. Satellite dishes with a diameter of two meters or less are permitted in non-residential areas.
- 4. All other satellite dishes shall be considered special uses in all residential and non-residential districts and shall be subject to compliance with Section XIII.K of this Ordinance. Satellite dishes also shall comply with the following:
 - a. Satellite dishes shall be mounted on the roof of a building unless it is determined that a roof top location is impractical based on the design of the building or the functioning of the dish. Rooftop dishes shall be screened with materials architecturally compatible with the principal building.
 - b. Ground mounted satellite dishes shall be located to the interior side or rear of the principal building on a lot and shall be screened to ensure minimal visibility from surrounding properties.

T. INTERPRETATION OF USES LISTS

The Community Development Director, subject to the approval of the Board of Trustees upon recommendation from the Plan Commission, may determine zoning compliance for land uses which, though not contained by name in the zoning district lists of permitted and special use, are deemed to be similar in nature and clearly compatible with the listed uses.

All such non-listed uses shall require approval by the Board of Trustees upon recommendation from the Plan Commission prior to issuance of a Zoning Certificate of Occupancy. Consideration to classify a non-listed use shall not require a public hearing. All such uses shall be added to the appropriate list of permitted or special uses upon periodic updating of the Zoning Ordinance.



U. **VISUAL OBSTRUCTIONS ON CORNER LOTS**

On corner lots within that part of any yard or court or other open area located within a radius of 25 feet from the point of intersection of the two street right-of-way lines forming the lot corner, no buildings, structures, or shrubs as herein permitted as obstructions in front yards or side yards adjoining a street shall be erected, altered, or planted which have a height more than 30 inches above the ground grade in this area, and trees planted in such areas shall be maintained in a manner that trees shall not have branches lower than 8 feet above the ground grade elevation in this area. (Amended by Ordinance A-834-13-11)

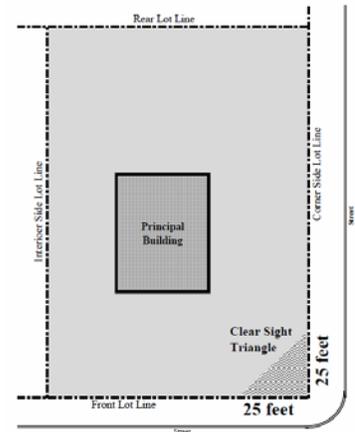


Figure IV.L

V. **REGULATIONS FOR PERSONAL WIRELESS SERVICE FACILITIES**

1. **Permitted Locations**

A special use is required and may be requested for any public utility service use that satisfies the definition of personal wireless service facility, as defined herein, provided that the proposed location satisfies any one of the criteria listed below. Personal Wireless Service Facilities attached to existing freestanding towers used for other Personal Wireless Services shall also require a special use approval for the purpose of determining compliance with the regulations herein.

- a. The proposed location of the Personal Wireless Service Facilities is within a manufacturing district and is not within 1000 feet of a residential district or is separated from residential districts by a freeway or principal arterial as defined by the Village of Burr Ridge Comprehensive Plan.
- b. The proposed location of the Personal Wireless Service Facilities is attached to an existing building or structure within a non-residential district.
- c. The proposed location of the Personal Wireless Service Facilities is located on a property owned by or used for municipal services.

2. **Maximum Height for Personal Wireless Service Facilities**

An applicant for approval of a Personal Wireless Facility shall demonstrate that the Personal Wireless Facilities do not exceed the minimum height required to function satisfactorily. Under any circumstances, Personal Wireless Facilities shall not exceed the following height restrictions unless otherwise specifically approved by grant of a special use permit as per Section IV.V.3, herein:

- a. The maximum height of a freestanding tower shall not exceed 100 feet provided, however, that an applicant requesting a freestanding tower shall demonstrate that the tower/antenna is the minimum height required to function satisfactorily.



- b. If mounted on the roof of an existing building or structure, the height of an antenna shall not exceed 10 feet above the height of the existing structure.
- c. An antenna attached to the side of a building, structure, or tower, shall not extend above the roof of the building, structure, or tower.

3. **Screening and Site Location for Personal Wireless Service Facilities Attached to Freestanding Towers**

- a. Support structures and antennas shall have a non-contrasting blue, gray or similar color that minimizes their visibility and is compatible with the surrounding landscape.
- b. Personal Wireless Service Facilities should be architecturally compatible with the surrounding buildings and land uses or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical.
- c. Personal Wireless Service Facilities attached to a freestanding tower shall not be located between a principal building and a street. Such freestanding towers shall be located adjacent to the rear wall of the principal building unless it is shown that an alternate location results in more effective screening or blending of the tower into the surrounding landscape. Freestanding towers shall be at least 20 feet from side and rear property lines.

4. **Screening and Site Location for Personal Wireless Service Facilities Attached to Existing Buildings or Structures**

- a. Personal Wireless Facilities may be attached to the wall or roof of a building subject to height restrictions herein. Such Facilities shall not be attached to the front wall of a building unless it can be shown that other locations are not feasible and that the Facilities shall be made to effectively blend into the architecture of the building.
- b. Personal Wireless Facilities and their support structures attached to an existing building or structure shall be of a color identical to the building or that maximizes the blending of the Facilities and support structures into the architecture of the building or structure.
- c. Personal Wireless Facilities and their support structures attached to an existing building or structure shall not extend more than 24 inches beyond the wall of such building or structure.

5. **Screening and Site Location for Ground Level Equipment and Buildings**

- a. Ground level equipment, buildings, and the tower base shall be located and provided with screening to reduce visibility from public streets and residentially zoned properties to the maximum extent possible and reasonable.
- b. Landscaping, consisting of shrubs and similar materials, shall be provided surrounding the foundation of ground level buildings, structures, and fences subject to the review and approval of the Community Development Director.



- c. Ground level buildings and structures shall be designed and located to blend with the existing architecture and landscaping of the subject property and the surrounding area. Masonry facades shall be required for such buildings or structures unless otherwise allowed as a condition of the special use approval.
- d. Fencing may be provided as a condition of the special use approval for the purpose of enclosing and screening freestanding towers or antennas and their support facilities. Such fencing shall comply with the requirements for residential fences contained in Section IV.J.1, herein, except as specifically authorized by conditions for approval of a special use.

6. Compliance with Governmental and other Safety Regulations

- a. The applicant shall demonstrate that the proposed antennas and support structures are safe and that surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.
- b. All towers and antennas shall comply with the current standards and regulations of the Federal Communications Commission, the Federal Aviation Administration, and any other agency of the federal government with the authority to regulate towers and antennas.
- c. Upon application and approval, the Building Commissioner shall issue a permit prior to construction of any tower or antenna. Said permit shall verify that towers and antennas are constructed in compliance with applicable Village building codes and any requirements of the Electronic Industries Standards and the Federal Communications Commission, as well as the provisions herein.

7. Co-Location and Location on Existing Structures Preferred

In order to minimize adverse visual impacts associated with the proliferation of towers, co-location of antennas by more than one provider on existing or new towers and location of antennas on existing buildings or structures, shall take precedence over the construction of new, freestanding towers. If a new, freestanding tower is proposed, special use approval shall not be granted unless the applicant demonstrates compliance with the following:

- a. A diligent effort has been made to locate the antenna on an existing structure and that, due to valid considerations, including physical constraints and economic or technological feasibility, no other appropriate location is available.
- b. Covenants shall be recorded which require that the applicant allow, on a commercially reasonable basis, other providers of Personal Wireless Service Facilities and other antennas to co-locate on the proposed freestanding tower, where such co-location is technologically feasible.



- c. The site plan for the construction of a new, freestanding tower shall delineate an area near the base of the tower to be used for the placement of additional equipment and buildings for other users.

8. **Abandonment of Towers or Antennas**

In the event the use of a tower or antenna is discontinued for a period of 60 consecutive day, the tower or antenna shall be deemed to be abandoned. The Community Development Director shall determine the date of abandonment based on documentation required from the tower owner/operator or other appropriate sources. Upon abandonment, the tower owner/operator shall have an additional 60 days within which to:

- a. Reactivate the use of the tower either by said owner/operator or transfer of the tower to another owner/operator for such use within the aforesaid 60-day period. Transfer of the tower to another owner/operator shall not require special use approval provided use of the tower is re-activated within the 60-day period and that the use of the tower complies with all conditions of the original special use approval and the terms of this Ordinance.
- b. Dismantle and remove the tower, at which time, any special use shall become null and void.
- c. Request approval from the Board of Trustees to allow the abandoned tower or antenna to remain for a specified period of time. If said approval is granted, the tower shall be reactivated or removed within the time period approved by the Board of Trustees as per the regulations herein. (Amended by Ordinance A-834-9-97)

W. **PERFORMANCE STANDARDS**

Any use established in any district shall be so operated as to comply with the performance standards as set forth hereinafter. Established uses other than legal, nonconforming uses subject to the regulations of Section XII may be altered, enlarged, expanded or modified provided that the additions or changes comply with said performance standards. (Amended by Ordinance A-834-5-10)

1. **Noise**

- a. **Definitions** - (All definitions of acoustical terminology shall be in conformance with those contained in *ANSI S1.1-1994 (R2004)* "Acoustical Terminology" and the latest revisions thereof or any replacement thereto).

(1) **A-weighted Sound Level:** 10 times the logarithm to the base 10 of the square of the ratio of the A-weighted (and time-averaged) sound pressure, to the reference sound pressure of 20 micropascal. The frequency and time weighting must be specified in accordance with ANSI-S1.4-1983 (R2006) "American National Standard for Sound Level Meters" and the latest revision thereof. The unit of sound level is the decibel (dB) with the letter (A) appended to the decibel unit symbol to indicate the frequency weighting and written dB(A).

(2) **ANSI:** American National Standards Institute, or its successor



bodies.

- (3) **Construction:** On-site erection, fabrication, installation, alteration, demolition or removal of any building or structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth-moving, blasting, and landscaping.
- (4) **Daytime Hours:** 7:00 A.M., to 7:00 P.M., local time.
- (5) **dB(A):** See “A-weighted Sound Level” in decibels.
- (6) **Decibel (dB):** A unit of measure, on a logarithmic scale to the base 10, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which, for purposes of this regulation, shall be 20 micronewtons per square meter ($\mu\text{N}/\text{m}^2$) *or 20 micropascals (μPa)*.
- (7) **Discrete tone:** a sound wave whose instantaneous sound pressure varies essentially as a simple sinusoidal function of time.
- (8) **Fast Dynamic Characteristic:** The dynamic characteristic specified as “Fast” in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (9) **Fast Meter Response:** As specified in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (10) **Highly Impulsive Sound:** Either a single pressure peak or a single burst (multiple pressure peaks) for a duration less than one second.
- (11) **Night Time Hours:** 7:00 P.M., to 7:00 A.M., local time.
- (12) **Octave Band Sound Pressure Level:** The sound pressure level for the sound being measured contained within the specified octave band. The reference pressure is 20 micronewtons per square meter.
- (13) **Pascal (Pa):** A unit of pressure. One Pascal is equal to one Newton per square meter.
- (14) **Preferred Frequencies:** Those frequencies in Hertz preferred for acoustical measurements which, for the purposes of this regulation, consist of the following set of values: 20, 25, 31.5, 40, 50, 63, 80, 100, 125, 160, 200, 250, 315, 400, 500, 630, 800, 1000, 1250, 1600, 2000, 2500, 3150, 4000, 5000, 6300, 8000, 10,000, 12,500.
- (15) **Prominent Discrete Tone:** Sound, having a one-third octave band sound pressure level which, when measured in a one-third octave band at the preferred frequencies, exceeds the arithmetic average of the sound pressure levels of the two adjacent one-third octave bands on either side of such one-third band by:



5 dB for such one-third octave band with a center frequency from 500 Hertz to 10,000 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;

8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;

15 dB for such one-third octave band with a center frequency from 25 Hertz to 125 Hertz, inclusive. Provided: such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band.

- (16) **Slow Dynamic Characteristic:** The dynamic characteristic specified as “Slow” in ANSI S1.4-1983 (R2006) "American National Standard Specification for Sound Level Meters" and the latest revision thereof.
- (17) **Sound:** A physical disturbance causing an oscillation in pressure in a medium (e.g., air) that is capable of being detected by the human ear or a sound measuring instrument.
- (18) **Sound Level (Weighted Sound Pressure Level):** 20 times the logarithm to the base 10 of the ratio of the frequency-weighted (and time-averaged) sound pressure to the reference pressure of 20 micropascals. The frequency weighting used shall be specified explicitly (e.g., A, C, or octave band). The unit for sound level is decibel (dB).
- (19) **Sound Pressure:** the root mean square of the instantaneous sound pressures during a specified time interval in a stated frequency band. The unit for sound pressure is Pascal (Pa).
- (20) **Sound Pressure Level:** 20 times the logarithm to the base 10 of the ratio of the particular sound pressure to the reference sound pressure of 20 micropascals. ANSI S12.9- 1988 (R1998) “American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound - Part 1,” and the latest revision thereof, reserves the term sound pressure level to denote the unweighted sound pressure. The unit for sound pressure level is decibel (dB).

b. Prohibition of Noise Pollution

No person shall cause or allow the emission of sound beyond property lines so as to cause noise pollution (violating any applicable standards established by the Illinois Environmental Protection Agency) or a nuisance in Burr Ridge, or so as to violate any provisions of this Ordinance.

c. Measurement Techniques

Test procedures to determine whether emission of sound is in conformance



with regulation shall be in substantial conformity with Standards and Recommended Practices established by the ANSI and the latest revisions thereof, including but not limited to:

- ANSI S1.4-1983 (R2006)/ANSI S1.4a-1985 (R2006)
- ANSI S1.6-1984 (R2006)
- ANSI/ASA S1.11-2004 (R2009)
- ANSI/ASA S1.13-2005 (R2010)
- ANSI S12.1-1983 (R2006)
- ANSI/ASA S12.9-1993/Part 3 (R2008)
- ANSI/ASA S12.18-1994 (R2009)

d. Sound Emitted Standards and Limitations for Noise Sources

(1) Sound Emitted to Residential (R) Districts During Daytime Hours

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound during daytime hours from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving Residential Districts or developments and any school buildings or sites (hereinafter collectively referred to as R Districts) which exceeds the allowable octave band sound pressure level specified in Table 1, when measured at any point within such receiving R District, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.

TABLE 1
SOUND EMITTED TO ANY RECEIVING R DISTRICTS FROM A MANUFACTURING DISTRICT DURING DAYTIME HOURS

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R Districts from a Manufacturing District (dB) during Daytime Hours
31.5	72
63	71
125	65
250	57
500	51
1000	45
2000	39
4000	34
8000	32



(2) **Sound Emitted to Residential (R) Districts During Nighttime Hours**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound during night time hours from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R District which exceeds any allowable octave band sound pressure level specified in Table 2, when measured at any point within such receiving R District, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source. In addition, where any such use in any district utilizes trucks or other vehicular equipment, such as forklifts, outside in its operations and is adjacent to residential properties, the back-up warning signals on all such trucks or other vehicular equipment shall, to the extent allowed by law, be turned off or otherwise muted during nighttime hours so as to be inaudible to the adjacent residential properties. Trucks and other vehicular equipment operated outside adjacent to residential properties shall not idle outside during nighttime hours for a period in excess of five minutes.

TABLE 2
SOUND EMITTED TO ANY RECEIVING R DISTRICTS FROM A MANUFACTURING DISTRICT DURING NIGHTTIME HOURS

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R Districts from a Manufacturing District (dB) during Nighttime Hours
31.5	63
63	61
125	55
250	47
500	40
1000	35
2000	30
4000	25
8000	25

(3) **Sound Emitted to Business (B) Districts**

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in a Manufacturing District to any receiving Business (B) District (hereinafter referred to as B District) which exceeds any allowable octave band sound pressure level specified in Table 3, when measured at any point within such receiving B Districts, provided,



however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.

TABLE 3
SOUND EMITTED TO ANY RECEIVING B DISTRICTS FROM A MANUFACTURING DISTRICT

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving B Districts from a Manufacturing District (dB)
31.5	79
63	78
125	72
250	64
500	58
1000	52
2000	46
4000	41
8000	39

(4) Sound Emitted to Research Assembly (RA), Light Industrial (LI), and General Industrial (GI) Districts

Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound from any noise source located in the RA, LI, and GI Districts to any receiving neighboring lot in the RA, LI, and GI Districts which exceeds any allowable octave band sound pressure level specified in Table 4 when measured at any point within such receiving lot, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such noise source.

TABLE 4
SOUND EMITTED TO ANY RECEIVING RA, LI, OR GI DISTRICT FROM A MANUFACTURING DISTRICT

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving RA, LI, or GI Districts from a Manufacturing District (dB)	
	RA or LI Receiving District	GI Receiving District
31.5	79	80
63	78	79
125	72	74
250	64	69
500	58	63
1000	52	57
2000	46	52



4000	41	48
8000	39	45

(5) Highly Impulsive Sound

No person shall cause or allow the emission of impulsive sound from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R or B District or RA, LI or GI District lots which exceeds the allowable dB (A) sound level specified in Table 5, when measured at any point within such receiving R or B District or RA, LI, GI District lot, provided, however, that no measurement of sound levels shall be made less than 25 feet from the noise source.

TABLE 5
HIGHLY IMPULSIVE SOUND

Allowable (A-weighted) Sound Levels of Impulsive Sound Emitted From Manufacturing Districts or from any noise source by a use in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to designated classes for receiving uses			
RA & LI Districts	GI District	B Districts	R Districts
57	61	50	45

(6) Prominent Discrete Tones

(a) No use shall cause or allow the emission of any prominent discrete tone from any noise source located in a Manufacturing District or from any noise source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, to any receiving R or B District or neighboring RA, LI, or GI lot provided, however, that no measurement of one-third octave band sound pressure levels shall be made less than 25 feet from such noise source.

(b) This rule shall not apply to prominent discrete tones having a one-third octave band sound pressure level 10 or more dB below the allowable octave band sound pressure level specified in the applicable tables in subsection "d" through subsection (1) through (4) of this subsection C.1 for the octave band which contains such one-third octave band.



e. **Exceptions**

- (1) Subsection "d" of this subsection C.1 inclusive shall not apply to sound emitted from emergency warning devices and unregulated safety relief valves.
- (2) Subsection "d" of this subsection C.1 inclusive shall not apply to sound emitted from lawn care maintenance equipment and snow blowers and similar snow removal equipment used during daytime hours.
- (3) Subsection "d" inclusive shall not apply to sound emitted from equipment being used for temporary construction between the hours of 7:00 A.M., to 7:00 P.M., of each day or as otherwise regulated under the provisions of the Building Ordinance of the Village of Burr Ridge.
- (4) Subsection "d" inclusive shall apply to sound emitted from trucks and vehicles under the control of the property user and/or owner, including vehicles entering and leaving the property. Trucks and vehicles under the control of the property user and/or owner shall include trucks that are on the property for purposes of loading or unloading goods, whether such trucks are owned by the property user and/or owner or not. Actionable noise violations include violations caused by trucks hitting potholes or other obstacles on the property, and the shifting of gears as trucks leave, enter or drive upon the property, as well as violations caused by idling engines and trailer mounted refrigeration units.
- (5) Subsection "d" inclusive shall not apply to sound emitted from railroad facilities.

2. **Vibration**

a. **Definitions**

- (1) **Amplitude:** The maximum displacement of the earth from the normal rest position during one period of oscillation.
- (2) **Cycle:** A complete cycle of vibration occurs when the object moves from one extreme position to the other extreme and back again.
- (3) **Discrete Impulses:** A ground transmitted vibration stemming from a source where specific pulses do not exceed 60 per minute (or one per second)
- (4) **Frequency:** The number of cycles that a vibrating object completes in one second. The unit of frequency is Hertz (Hz). One Hertz equals one cycle per second.
- (5) **Impact:** An earth borne vibration generally produced by two or more objects striking each other so as to cause separate and distinct pulses.



- (6) **Oscillation**: a regular periodic variation in value about a mean.
- (7) **Particle Velocity**: A characteristic of vibration that depends on both amplitude displacement and frequency. Particle Velocity may be measured directly or computed by multiplying the frequency by the amplitude times the factor 6.28. The particle velocity will be in inches per second. The maximum Particle Velocity shall be the maximum vector sum of the three mutually perpendicular components recorded simultaneously.
- (8) **Seismograph**: An instrument which measures vibration characteristics simultaneously in three mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.
- (9) **Steady State Vibration**: A vibration which is continuous, as from a fan, compressor, or motor.
- (10) **Vibration**: A reciprocating motion transmitted through the earth, both in *the* horizontal and vertical planes.

b. Instrumentation

Ground-transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three mutually perpendicular directions.

c. Maximum Permitted Vibration Levels

Table 6 designates the acceptable *maximum permitted particle velocities* of vibration that apply on or beyond adjacent lot lines within the manufacturing district or from any source in any district by a use involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, and on or beyond appropriate district boundaries. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

TABLE 6
MAXIMUM PERMITTED PARTICLE VELOCITIES OF VIBRATION

Steady-state Vibration Limits for the Manufacturing District or for any use in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products.		
Maximum Peak Particle Velocity (inches per second)		
RA, LI & Lot Lines	R. District	
	Day	Night
0.06	0.03	0.01



d. Vibration Notes

- (1) Night time limits shall be considered to prevail from 7:00 P.M., to 7:00 A.M., local time.
- (2) For purposes of this regulation, steady-state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute, shall be considered impact vibrations.
- (3) Railroad facilities shall be exempt from vibration limitations.

3. Air Pollution

In all Districts, all uses shall comply with the State of Illinois Pollution Control Board rules and regulations codified as Title 35 of the Illinois Administrative Code, Sub-Title B and as may be amended from time to time.

4. Toxic Substances

- a. **Definition of Toxic Substances;** Any gas, liquid, solid, semi-solid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other substances likely to be present in the environment, cause or threaten to cause bodily injury, illness, or death to members of the general public through ingestion, inhalation, or absorption through any body surface. In addition, substances which are corrosives, irritants, strong sensitizers, or radioactive substances shall be considered toxic substances for the purposes of this regulation.
- b. The use, storage, handling or transport of toxic substances shall comply with applicable laws and regulations.
- c. In the RA, LI and GI Districts, any toxic substance listed by the U.S. Department of Health and Human Development (Public Health Service, Center for Disease Control, National Institute for Occupational Safety and Health, "Registry of Toxic Effects of Chemical Substances"), as revised from time to time, contained in one or more containers within the lot line in quantities in excess of 100 gallons as a liquid, 1,000 pounds as a solid or 100 pounds as a gas shall not be permitted.
- d. In the RA, LI & GI Districts, the storage, utilization, manufacture or handling of any toxic or radioactive substance shall be allowed only as a conditional use and only after a conditional use permit is granted under the standards set forth above.

5. Water Pollution

In all Districts, all uses shall comply with the State of Illinois Pollution Control Board rules and regulations codified as Title 35 of the Illinois Administrative Code, Sub-Title C and as may be amended from time to time.



6. Fire and Explosive Hazards

- a.** In a Manufacturing District, activities involving the storage, handling, utilization's, or manufacture of materials or products which decompose by detonation and which are classified by the Department of Transportation as Explosive A (and/or by the United Nations as UN Class 1.1 or 1.2), Explosive B (and/or by the United Nations as UN Class 1.3), or Explosive C (and/or by the United Nations as UN Class 1.4), as such classes are amended from time to time (See C.F.R. 49, Parts 100 to 177), shall be permitted only as a conditional use, in accordance with the standards set forth below, provided that such quantities do not exceed the limits set forth in the following Table 7. Explosives categorized or classified by the Department of Transportation as "Forbidden" or "Restricted" shall not be permitted. Permitted explosives shall be stored, utilized, handled, and manufactured in accordance with National Fire Protection Association - National Fire Codes (as adopted by the Village) and all other applicable Village regulations and ordinances. The storage and accountability of permitted explosives shall comply with applicable Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms Regulations ("Your Guide to Explosive Regulations as most recently amended and as amended from time to time - ATF P5400.7). This includes the requirement of an explosives permit (18 USC Chapter 40).
- b.** In a Manufacturing District, the storage, utilization, handling or manufacture of radioactive isotopes (fissionable material) (regardless of atomic mass) shall not be permitted except as a conditional use and only after a conditional use permit is granted under the standards set forth in this Ordinance, and also shall not be permitted unless the material is contained in an approved (by the Village) shielded and fire resistant container for which it is never removed. Radioactive isotopes (fissionable materials) in such shielded and fire resistant containers which are granted a Conditional use shall be classified for the purposes of the Manufacturing Districts as Explosive A materials and shall comply with the quantity limitations set forth in the following Table 7.
- c.** In the Manufacturing District, the storage, utilization, handling or manufacture of highly reactive oxidizing or reducing agents, unstable or pyroforic materials, or highly unstable materials which include but are not confined to organic peroxides, organic nitrated, fluorine, liquid oxygen, hydrazine, acetylides, tetrazoles, ozonides, perchloric acid, perchlorated, chlorated, alkyaluminums, diborane, calcium trifluoride, hydroxylamine and other similar materials shall be considered as Explosive C materials and shall comply with the quantity limitations set forth in the following Table 7. The storage utilization, handling or manufacture of these materials shall be in accordance with The National Fire Protection Association - National Fire Codes (as adopted by the Village) and all other applicable Village regulations and ordinances.
- d.** In the Manufacturing District, the storage, utilization, handling or manufacture of flammable liquids and gases shall be permitted in accordance with the following Table 8, including the storage of finished products. Flammable liquid and storage tanks shall not be less than fifty (50) feet from all lot lines. The storage, utilization, handling or manufacture of flammable liquids and gases shall be in accordance with



the National Fire Protection Association National Fire Codes (as adopted by the Village) and all other applicable Village regulations and ordinances.

- d. No activities covered by this Subsection are allowed anywhere other than in a Manufacturing District and in conformance with the requirements set forth above.

**TABLE 7:
TOTAL CAPACITY OF EXPLOSIVE AND
OTHER UNSTABLE OR HIGHLY REACTIVE MATERIALS**

<u>Materials Classification</u>	<u>Total Quantity</u>
Forbidden	0
Restricted	0
Explosive A	0.1 Pounds
Explosive B	1 Pounds
Explosive C	10 Pounds
(The Total Quantity of All Such Materials Shall Not Exceed Ten (10) Pounds).	

**TABLE 8:
TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED
(IN GALLONS)**

For Material Having an Open Cup Flash Point...	Above Ground		Underground	
	RA & LI Districts	GI Districts	RA & LI Districts	GI Districts
...at or above 140 degree F	5,000	30,000	20,000	100,000
...at or above 100 degree F., and below 140 degree F	2,000	10,000	20,000	100,000
...below 100 degree F	500	2,000	20,000	100,000
(When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure shall not exceed 30 times the quantities listed in Table 8 above).				

7. Glare

In all Districts, any activity or operation producing glare shall be conducted in accordance with the following requirement: Exposed sources of light shall be controlled so that direct and indirect illumination within the lot lines shall not cause illumination in excess of 1/2 foot candle in any R District.

8. Other Nuisances

In addition to the performance standards specified above in subsection 1 through subsection 7 above, the dissemination of noise, vibration, particulate matter, odor, toxic substances, or fire or explosive materials in either such manner or quantity as to be determined to endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance and shall be unlawful.



9. Landscaping

All required yards or other required open spaces shall be appropriately landscaped in accordance with landscaping plans submitted to and approved by the Community Development Director, and thereafter maintained in such a manner as to retain at least the intended standards of the initial landscaping plan and to conform to the landscaping requirements as set forth as follows:

a. Required Landscaping

All Manufacturing uses (uses established in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products) must be buffered from adjacent residential uses and residentially zoned properties through the use of substantial berming and landscaping in accordance with applicable Village regulations and a landscaping plan submitted to and approved by the Community Development Director. All such buffering shall be as close to 100 percent opacity as possible, including during the dormant stage of such landscaping, and shall include a mix of the plant materials set forth in EXHIBIT I. Approval of the landscaping plan or approval of the landscaping plan with modification shall be based on the recommendations of the Village Forester.

b. Building Setback

If landscaping complies with the requirements above, no buildings or structure may be located within 50 feet of a residence district boundary line. If landscaping does not comply with said requirements, no building or structure shall be located within 150 feet of a residence district boundary line.

c. Parking Lot Setback

No parking lot may be located within 30 feet of a residence district boundary line. This setback area shall also be landscaped as set forth above.



EXHIBIT I - PERMITTED PLANT MATERIAL

The plant material used in required landscaping in manufacturing districts and for any use established in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, shall conform to the following plant list.

Plant Group A: Deciduous Shade Trees (Installation Size: min. 2.5 inch trunk diameter measured 1 foot above ground level)

1. All street trees contained in the permitted species list of the Village of Burr Ridge Subdivision Regulations Ordinance.

Plant Group B: Evergreen Trees (Installation Size: 8 ft. in height)

	<u>Spacing on Center</u>
1. Scotch Pine	20 feet
2. Red Pine	20 feet
3. White Pine	30 feet
4. Douglas Fir	20 feet
5. Norway Spruce	18 feet

Plant Group C: Ornamental Deciduous Trees (Installation Size: 6 ft. in height) (All plants shall be in shrub form)

	<u>Spacing on Center</u>
1. Cockspur Hawthorn	15 feet
2. Washington Hawthorn	10 feet
3. Winter King Hawthorn	12 feet
4. Ironwood or American Hornbeam	12 feet
5. Amur Maple	12 feet
6. Cornelian Cherry	15 feet

Plant Group D - Deciduous and Evergreen Shrubs

	<u>Installed Size (Height)</u>	<u>Spacing on Center</u>
1. Winged Euonymus	4 feet	8 feet
2. Arrowwood Viburnum	4 feet	6 feet
3. Nannyberry	4 feet	8 feet
4. Mochican Viburnum	4 feet	6 feet
5. American Hazelnut	4 feet	6 feet
6. American Cranberry Viburnum	4 feet	6 feet
7. Pfitzer Juniper	3 feet	6 feet
8. Hetzi Juniper	3 feet	6 feet
9. Mugo Pine	4 feet	8 feet
10. Dwarf Mugo Pine	3 feet	6 feet

(Amended by Ordinance A-834-05-10)



X. UTILITIES AND MECHANICAL EQUIPMENT

For all buildings except detached single-family dwellings, utilities and mechanical equipment shall comply with the following: (Amended by Ordinance A-834-13-11)

1. All utilities shall be placed underground.
2. Rooftop equipment, exclusive of flues, exhaust stacks and vents, shall be completely screened from view from any adjacent private or public street or from any point along an exterior property line. Screening shall be of permanent construction material at least one foot (1') higher than the object being screened and architecturally compatible with the principal building.
3. Ground-level mechanical equipment shall be completely screened from view from any adjacent private or public street or from any point along an exterior property line. The screen shall be of permanent construction material architecturally compatible with the principal building or be screened by the use of landscape material that affords a minimum of 80 percent opacity during the vegetation's dormant season. Minimum height of screening shall be at least one foot (1') higher than the object being screened.
4. Screening methods and materials to be utilized for both rooftop and ground-level equipment shall be specified on the building permit application required for each lot.

Y. ACCESS DRIVEWAY FROM STREETS TO OFF-STREET PARKING AND LOADING SPACES

1. WIDTH AND NUMBER OF DRIVEWAYS

- a. **Measurement of Driveway Width:** The width of all driveways shall be measured at the lot line adjoining a street.
- b. **Residential Uses**
 - (1) The width of a driveway providing access to a residential use shall not be less than 9 feet or more than 22 feet. However, for all single-family residences existing as of November 11, 2013 that have front loaded, three-car garages also existing as of November 11, 2013, the maximum width of a driveway shall not be more than 30 feet. (Amended by A-834-11-13, A-834-34-13)
 - (2) The number of driveways providing access to a residential use from a single street shall not exceed two. The number of driveways providing access to a residential use on a corner lot shall not exceed three.
 - (3) The combined width of all driveways accessing a residential property shall not exceed 36 feet.



c. Non-Residential uses

- (1) Not less than 14 feet wide or more than 20 feet wide for a one-way driveway.
- (2) Not less than 20 feet wide or more than 35 feet wide for a two-way driveway serving two or fewer parking spaces and/or one loading space.
- (3) Not less than 24 feet wide or more than 35 feet wide for a two-story driveway serving more than 20 parking spaces and/or two or more loading spaces.

2. RADIUS CONNECTING STREET PAVEMENT EDGE AND DRIVEWAY EDGE

a. In Residence Districts; A driveway flare or radius shall be provided that does not exceed 5 feet and does not encroach beyond the side property line as extended to the street pavement. (Amended by Ordinance A-834-5-98)

b. Business Districts

- (1) Not less than 15 feet at the intersection of a driveway and street pavement in a street having a right-of-way more than 66 feet wide.
- (2) Not less than eight feet at the intersection of a driveway and a street pavement in a street having a right-of-way of 66 feet or less in width.

3. ANGLE AT INTERSECTION OF A DRIVEWAY AND STREET

The acute angle formed at the intersection of driveway and street pavement edges shall be not less than 60 degrees.

4. SPACING BETWEEN SEPARATE DRIVEWAY ENTRANCES ON A LOT (measured at the lot line adjoining a street)

- a. Not less than 20 feet on streets having rights-of-way more than 66 feet in width.
- b. Not less than ten feet on streets having rights-of-way 66 feet or less in width.

5. ON CORNER LOTS - SPACING BETWEEN DRIVEWAY ENTRANCE AND RIGHT-OF-WAY LINE OF AN ADJACENT INTERSECTION STREET (measured from the nearest edge of the driveway pavement at its intersection with the street right-of-way line of an adjacent intersecting street)

- a. Not less than 15 feet to an adjacent intersecting street having a right-of-way more than 66 feet in width.
- b. Not less than eight feet to an adjacent intersecting street having a right-of-way 66 feet or less in width.



BURR RIDGE ZONING ORDINANCE

SECTION V ZONING DISTRICTS

A. ESTABLISHING OF DISTRICTS

In order to carry out the purposes and provisions of this ordinance, the Village of Burr Ridge is hereby divided into the following districts:

R-1	Single-Family Residence
R-2	Single-Family Residence
R-2A	Single-Family Residence
R-2B	Single-Family Residence
R-3	Single-Family Residence
R-4	Single-Family Residence
R-5	Planned Residence
R-6	Residential and Congregate Care
T-1	Transitional
T-2	Transitional
B-1	Retail Business
B-2	General Business
O-1	Small Scale Office
O-2	Office and Hotel
RA	Research Assembly
LI	Light Industrial
GI	General Industrial

In addition, there is also established the County Line Road Corridor Area, which includes all property adjoining County Line Road, regardless of the depth of such property from County Line Road and whether such property is zoned to permit residential, non-residential or planned unit development uses. Separate regulations apply to those properties in the County Line Road Corridor Area.

B. ZONING DISTRICT MAP AND BOUNDARIES OF DISTRICTS

1. Zoning District Map

The zoning districts and their boundaries are as shown upon a zoning district map entitled Zoning District Map, "Village of Burr Ridge, Illinois, dated March 8, 1965", as amended, which map and all amendments thereto and all notations, references, and other information shown thereon are hereby incorporated and made a part of this ordinance, with the same force and effect as if the said zoning district map, amendment, notations, references, and other information were fully herein set forth. The original zoning district map, property attested to, is on file with the Village



Clerk of Burr Ridge.

2. Boundaries of Districts

Where uncertainty exists with respect to the boundaries of the various districts as shown on the zoning district map and made a part of this ordinance, the following rules apply:

- a. Where district boundaries are indicated as following streets or alleys or extensions thereof, such boundaries shall be construed to be center lines of said streets, alleys, or extensions thereof.
- b. Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, unless the boundaries are otherwise indicated on the map. Within unsubdivided property, the district boundary lines on the zoning district map shall be in accordance with dimensions as designated on the map.
- c. Where a district boundary line divides a lot in single ownership, the regulations of this ordinance for either portion of the lot may, at the owner's discretion, apply to the entire area of the lot or 25 feet beyond the zoning district boundary line, whichever is the lesser distance, provided non-residential uses (except parking) shall not be permitted to extend into a residential district, except as otherwise provided herein.
- d. Questions concerning the exact locations of district boundaries shall be resolved by the Board of Trustees.

C. ANNEXED TERRITORY

Land hereafter annexed to the Village shall be automatically classified in the R-1 Single-Family Residence District unless and until otherwise classified by amendment.



BURR RIDGE ZONING ORDINANCE

SECTION VI RESIDENCE DISTRICTS

A. GENERAL REQUIREMENTS

1. Permitted Uses

No building or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building or tract of land shall be located, with exception of the following:

- a. Uses lawfully established on the effective date of this Ordinance.
- b. Special uses as allowed in each district.

Uses already lawfully established on the effective date of this Ordinance and rendered nonconforming by the provisions thereof shall be subject to the regulations of Section XII.

2. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise provided in Section XIII for a planned unit development. In addition, no building shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building is located.

However, when recommended by the Plan Commission and approved by the Board of Trustees for the creation of new lots, lots of a lesser size will be permitted if the total number of lots does not exceed the number which would be possible if all lots were in compliance with the lot size requirements in the district in which they are located and, further, if the reduction in size is not more than 25 percent.

3. Yard Requirements and Open Space

- a. Yard requirements shall be as set forth under each zoning district, except as otherwise provided in Section XIII for a planned unit development. Required front, side, and rear yards shall be provided in accordance with the regulations hereinafter indicated and shall be unobstructed from the ground level to the sky, except as allowed in Section IV.I.
- b. All accessory buildings or structures which are attached to principal buildings (e.g., attached garages) shall comply with the yard requirements of the principal building.

4. Attached Garages – R-1, R-2I, and R-2A Districts

Accessory residential garages in the R-1, R-2, and R-2A Districts shall comply with the following:

- a. The combined floor area for all attached garages shall not exceed 1410 square feet or 35 percent of the floor area of the principle dwelling,



whichever is greater. For purposes of this subsection, floor area shall be defined as the floor area included in the calculation for floor area ratio.

- b. Any floor area of an attached garage in excess of 1,000 square feet shall be counted in computing the floor area for determining the floor area ratio permitted on a lot.
- c. Overhead Door Height: The vertical distance from the top of the garage floor to the top of the garage door opening shall not exceed 9 feet in height. (Amended by Ordinance A-834-07-07).

5. Attached Garages – R-2B, R-3, and (former) R-4 Districts

Accessory residential garages in the R-2B, R-3, and (former) R-4 Districts shall comply with the following: (Amended by Ordinance No. A-834-02-05)

- a. The combined floor area of all attached garages shall not exceed 1410 square feet and any area in excess of 1,000 square feet shall be counted in computing the floor area for determining the floor area ratio permitted on a lot.
- b. The number of garage doors for an attached garage shall be limited to any combination of single and double doors not to exceed a total of four with a double door counting as two doors. A single door is defined as a door not exceeding 10 feet in width and a double door is defined as a door exceeding 10 feet in width.
- c. Overhead Door Height: The vertical distance from the top of the garage floor to the top of the garage door opening shall not exceed 9 feet in height. (Amended by Ordinance A-834-07-07).

6. Signs

Signs shall be allowed in Residence Districts in accordance with the regulations established in the Burr Ridge Municipal Code.

7. Off-Street Parking and Loading

Off-street parking and loading facilities, accessory to uses allowed in Residence Districts, shall be provided in accordance with the regulations established in Section XI.

8. Determining Floor Area Ratio

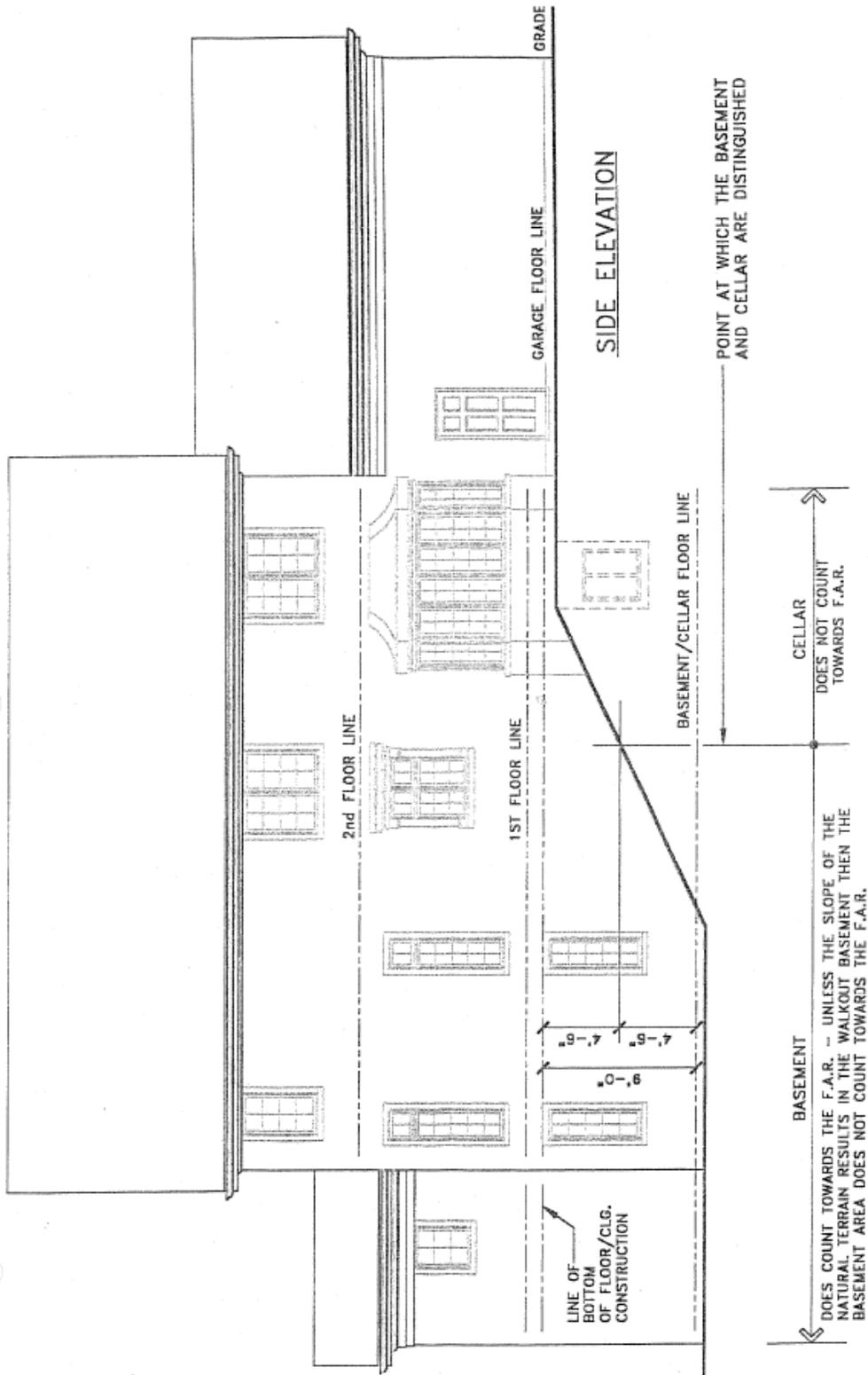
- a. Floor area ratio shall be determined by dividing the floor area by the gross land area of the lot or parcel. Floor area shall be determined as defined in section XIV herein and as described below.
- b. For purposes of determining the floor area ratio, the floor area shall be calculated as depicted in Appendices XI-A, XI-B, XI-C, XI-D (see below) and including but not limited to the horizontal areas on each floor devoted to:
 - i. Elevator shafts and stairwells;



- ii. Mechanical equipment, except if located on the roof, when either open or enclosed – i.e., bulkheads, water tanks, and cooling towers;
 - iii. Garages – if a garage is less than 1,000 square feet in area, it shall not be included in the floor area for determining the floor area ratio; but if a garage exceeds 1,000 square feet, then all that area of any garage in excess of 1,000 square feet shall be included;
 - iv. Interior balconies and mezzanines;
 - v. Enclosed porches.
- c. The horizontal area of a cellar floor and the horizontal area of attic space as defined in Section XIV.B herein, shall not be included in the floor area.
 - d. Volume space such as cathedral ceilings and open staircases shall not be included in the floor area.
 - e. Where the slope of the natural terrain results in a walkout basement, the horizontal area below the footprint of the floor above shall not be included in the floor area. (Added by Ord. A-834-4-02)



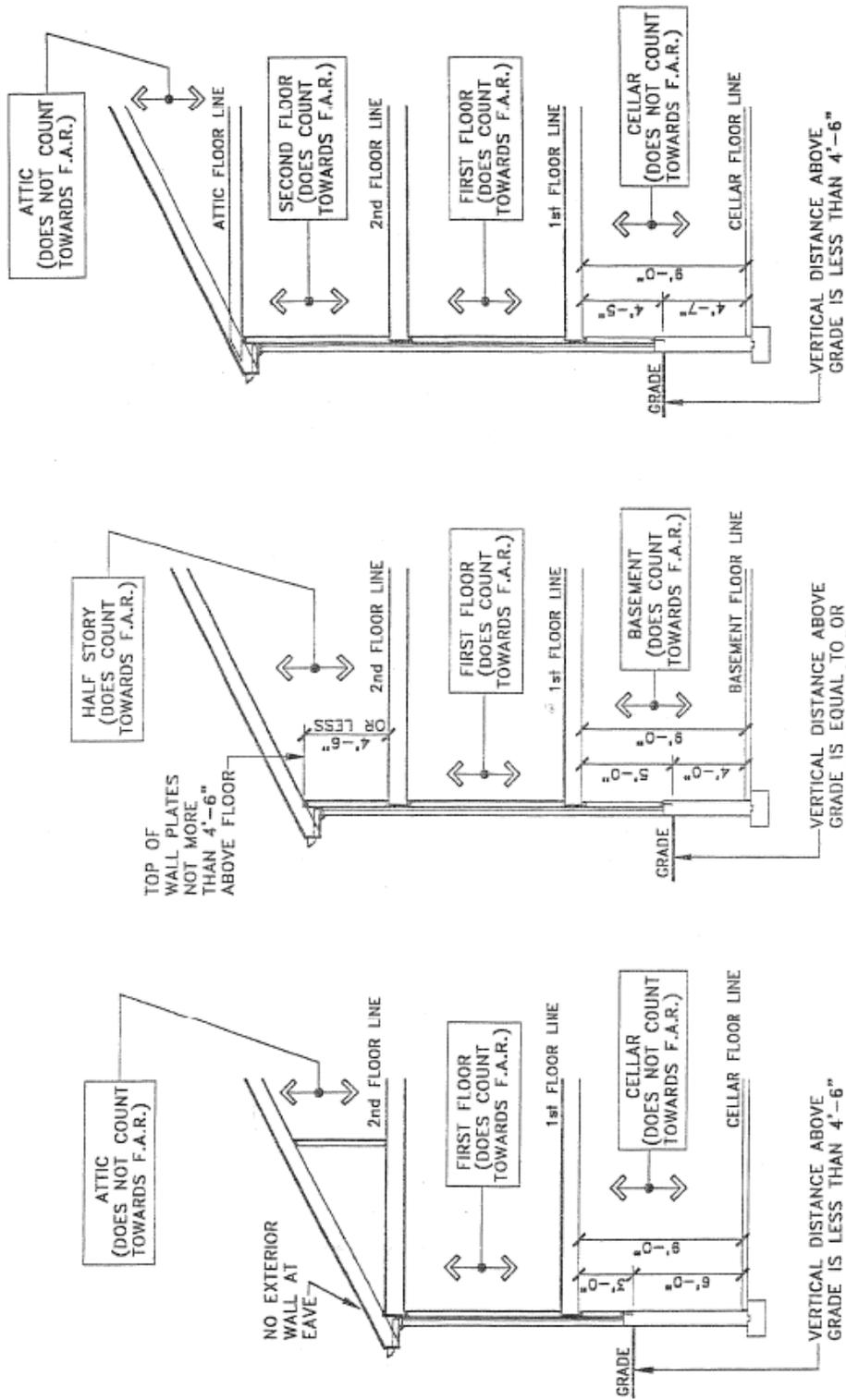
APPENDIX XI-3



WALKOUT BASEMENT FLOOR AREA ON A SLOPING SITE



APPENDIX XI-A



BUILDING SECTION

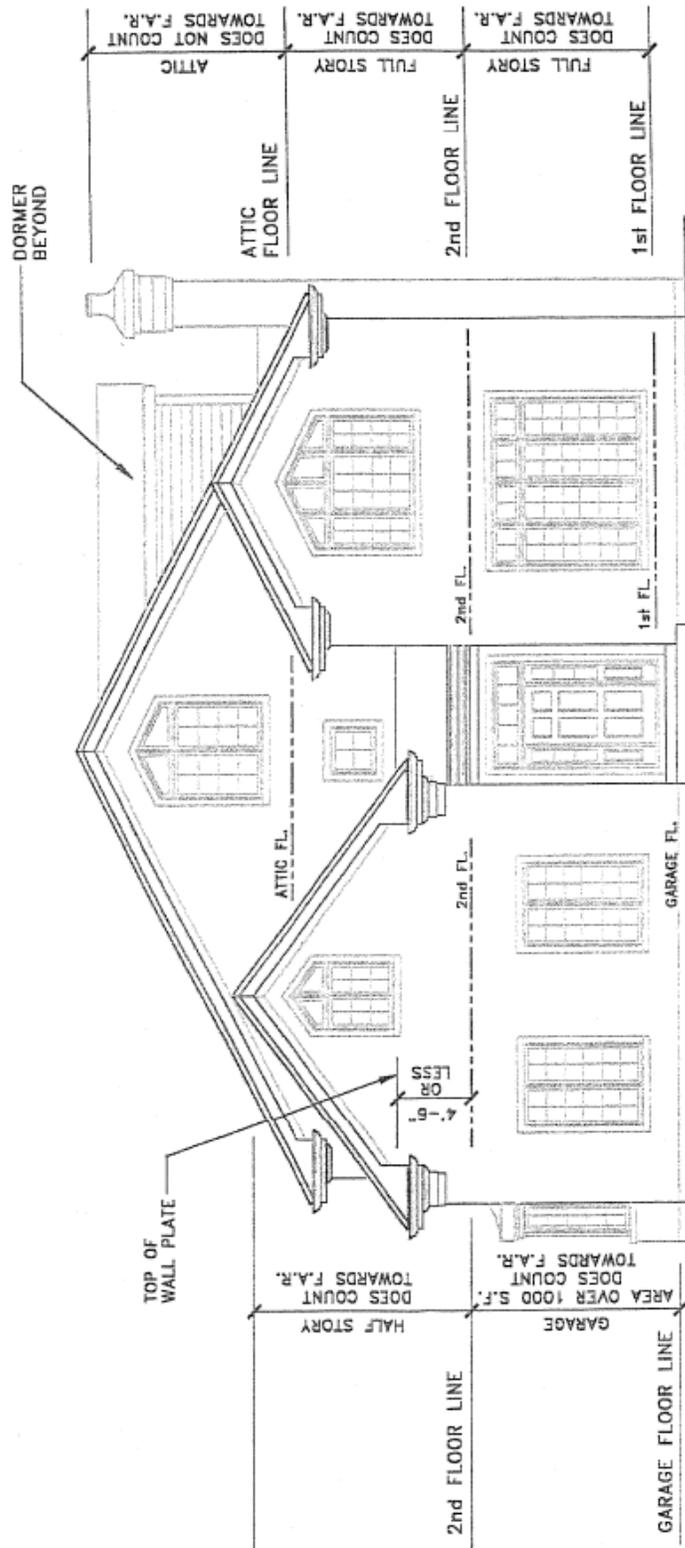
BUILDING SECTION

BUILDING SECTION

BUILDING ELEMENTS AND THEIR RELATIONSHIP TO FLOOR AREA RATIO (F.A.R.)



APPENDIX XI-B

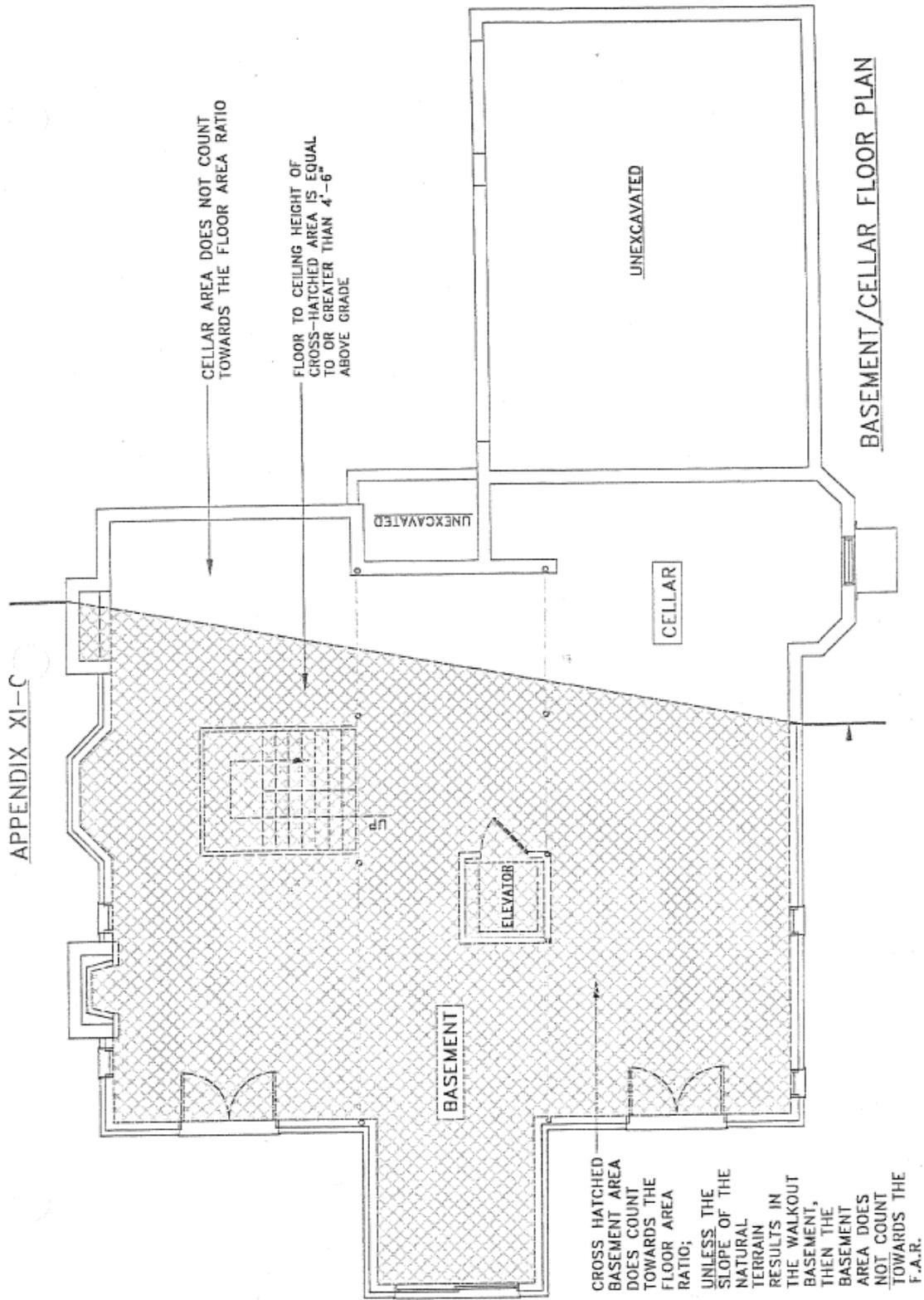


FRONT ELEVATION

BUILDING ELEMENTS AND THEIR RELATIONSHIP TO FLOOR AREA RATIO (F.A.R.)



APPENDIX XI-C



WALKOUT BASEMENT FLOOR AREA ON A SLOPING SITE



BURR RIDGE ZONING ORDINANCE

SECTION VI.B R-1 SINGLE-FAMILY RESIDENCE DISTRICT

B. R-1 SINGLE-FAMILY RESIDENCE DISTRICT

The R-1 Single Family Residence District is intended to provide for a semi-rural environment with dwellings on lots a minimum of five (5) acres in size. Because of the low level of development intensity inherent in this district, R-1 lots are particularly appropriate in (but not limited to) areas where the preservation of valuable environmental and/or aesthetic resources is desired.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Accessory Buildings, Structures, and Uses located in the front and side buildable area of a lot. (Amended by Ordinance A-834-29-01)
- b. Accessory dwellings for non-gratuitous guests, domestic employees, or extended family on a lot or parcel of five or more acres. (Amended by Ordinance A-834-29-01)
- c. Convents, monasteries and seminaries.
- d. Colleges, universities and accessory uses thereto.
- e. Community centers, museums, libraries, and other cultural facilities.
- f. Golf courses, standard or par 3.
- g. Garden and plant nursery plots not including retail sales.
- h. Hospitals.
- i. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- j. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.



- k. Schools, public or private.
- l. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.
 - (2) Police stations.
 - (3) Fire stations.
 - (4) Railroad rights-of-way.
 - (5) Water filtration plants, pumping stations, and reservoirs.
 - (6) Municipal Administration Offices
 - (7) Village owned public works facility or garage
- m. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- n. Accessory uses customarily incidental to the above special uses.
- o. *Sheltered/skilled care facility (italics added for distinction from other bulk regulations)- not less than 25 acres in area. For the purposes of this District, a sheltered/skilled care facility shall be construed to mean a single building with resident rooms for healthy elderly adults, and assisted living for elderly adults who require limited supervision in performing daily activities or attention to medical needs, together with related uses within such building, including but not limited to licensed nursing facilities and geriatric clinic and staff living quarters for employees of the facility.*
 - (1) *Permitted Related Uses*
 - (a) *Cottage Homes*

Single family semi-detached, attached and multi-family dwellings (not to exceed a maximum of 4 units per building), which collectively comprise an area occupying not more than 35 percent of the area devoted to this cottage home use, including parking, roads and other impervious surfaces, except that when additional open space or unusual amenity features which increase the stability and value of the neighborhood are provided, the Village Board, after receiving the recommendation of the Plan Commission, may increase the area devoted to such use provided that the gross density shall not exceed 2.5 dwelling units per acre based on that area of the total site devoted to this cottage home use and provided further that the area of the total site to be devoted solely to the sheltered/skilled care facility and accessory uses shall not be less than ten (10) acres. The development of such cottage homes shall only be allowed in coordination with and to serve a sheltered/skilled care facility where property is composed of one or more lots under unified ownership, use or control, and is located immediately adjacent to a not-for-profit sheltered/skilled care facility, when specifically so recommended by the Plan Commission and approved by the Board of Trustees.



- (b) *Any accessory buildings or structures to serve the sheltered/skilled care facility, including maintenance and support facilities and staff living quarters, shall be as approved by the Board of Trustees, following recommendation by the Plan Commission.*
- (2) *The development of any facility, use or structure hereunder shall be subject to the following regulations:*
- (a) *Bulk Regulations*
- (i) *Lot Width*
- Cottage homes - No minimum or uniform lot width shall be required. Lot width may vary in order to achieve creative lot design and to best accomplish the purposes herein set forth. Lot area and lot width shall be as approved by the Board of Trustees after receiving the recommendations of the Plan Commission.*
- Sheltered/skilled care facility - Not less than 300 feet. If cottage homes are approved, that area required to be devoted to the sheltered/skilled care facility shall be not less than 300 feet in width.*
- (ii) *Floor Area Ratio*
- Cottage homes - Not to exceed .15.*
- Sheltered/skilled care facility - Not to exceed .1. If cottages homes are approved, the sheltered care facility and accessory uses shall be subject to a maximum floor area ratio of .1.*
- (iii) *Yards*
- Yards are required at the exterior boundaries of the development and at other locations and shall be as approved by the Board of Trustees after receiving the recommendation of the Plan Commission. The yards at the exterior of the development shall at minimum meet the requirements of this R-1 zoning district and other applicable zoning regulations.*
- (iv) *Space Between Structures*
- The space between structures shall be not less than 25 feet between each cluster of attached, semi-detached or multi-family dwellings and as otherwise approved by the Board of Trustees after receiving the recommendations of the Plan Commission.*
- (v) *Building Height*
- a- *For single family semi-detached, attached and multi-family dwellings, not more than one story or 15 feet, whichever is lower.*



-b- For the sheltered/skilled care facility not more than three and one-half (3½) stories or 45 feet, whichever is lower, unless otherwise approved by the Board of Trustees after receiving the recommendations of the Plan Commission based upon unique topographical conditions that serve to minimize the view of the building from adjoining properties or if such facility is set back a greater distance than required for this zoning district (and such setback is all open space) to a maximum height of four (4) stories.

(b) Open Space

Open space, unencumbered by buildings, structures, or impervious surfaces (including parking areas and driveways) shall be provided in an amount not less than seventy percent (70%) of the total area of the site.

All open space shall be maintained in a clean and sightly condition and shall be landscaped in accordance with approved (by the Village) landscaping plans and maintained in such a manner as to retain at least the intended standards of the initial plan.

(c) Use/Occupancy

The primary use or occupancy of any cottage homes approved hereunder by the Board of Trustees shall be limited to no more than two persons aged 60 and over, except for temporary service personnel.

(d) Off-street parking

As required by Section XI of this Ordinance, provided that for each cottage home there shall be one attached garage with space to accommodate at least one car. Visitor parking shall be provided in groupings of not more than five (5) contiguous spaces for the cottage homes unless otherwise approved by the Board of Trustees following the recommendation of the Plan Commission and shall be properly screened by landscaping so as to be compatible with the area and minimize the parking lot appearance.

(e) Deed/Transfer Documents

The Village must be provided with a copy of the contract or transfer document granting a life estate interest to cottage home residents providing for the permanent ownership interest to be retained by that entity or association which owns the sheltered/skilled care facility or entity under unified ownership, use or control with the entity which owns the sheltered/skilled care facility.

(f) Declaration of Covenants



Declaration of covenants to be in such form and substance as approved by the Village and to be recorded against the total area of the site, incorporating this special use and indicating and requiring the common ownership, use or control of any approved cottage homes with the adjacent sheltered/skilled care facility. Said declaration shall also provide for maintenance of the exterior of the property as required herein with any amendment to such declaration to be subject to the prior written approval of the Village.

- (g) *If not otherwise specifically provided for hereunder, the minimum standards of this R-1 Zoning District shall apply.*

(3) *Site Plan Review*

No special use shall be granted hereunder without approval of a site plan. In addition to the requirements required under XIII.K of this Ordinance, the site plan shall include at a minimum the following and any other data required by the Village Engineer in order to determine that the proposed development conforms with the intent of this and other applicable Village ordinances:

- (a) *An accurate topographic and boundary line map of the project area, including contours at vertical intervals of not more than two feet, and a location map showing its relationship to surrounding properties, water courses and other significant features.*
- (b) *That area devoted solely to the sheltered/skilled care facility and accessory uses and that area devoted to cottage homes, if applicable.*
- (c) *The location of open space areas and areas for recreational use for the residents of this development.*
- (d) *Statistical data on total size of project area, area of Useable Open Space, area devoted to sheltered/skilled care facility and that area devoted to cottage homes density computation and proposed number of units and specific uses by type, including the units within the sheltered/skilled care facility and accessory uses, and any other similar data pertinent to a comprehensive evaluation of the proposed development.*
- (e) *The sign requirements, fence requirements, landscaping requirements, and other utilities, and parking requirements.*
- (f) *Such site plan shall not be limited to the above requirements, but shall include all aspects of development of the subject property.*

(4) *Design Standards*

The following standards shall be used as a framework for evaluating the Site Plan:

- (a) *Topography*

The topography of the site shall be preserved, wherever possible, in its natural state by minimizing grade changes



and alterations. Building sites and street locations should conform to existing land contours, to the extent possible.

(b) *Streets*

The streets shall be curved, wherever possible, to provide gentle curvilinear street patterns. Streets shall be located, wherever possible, to preserve the natural elements of the site, as well as those of surrounding properties.

Further, the number of new intersections with existing and proposed major or secondary arterial and collector streets shall be kept to a minimum. The use of cul-de-sacs or comparable design to provide access to the cottage homes is encouraged so as to provide privacy for the units, more variety in site planning and views oriented away from neighbors' yards and units.

(c) *Preservation of Landscape*

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, so that the resulting development will be in keeping with the general appearance of neighboring developed areas and will not adversely affect the ecology of the area. Wherever the natural landscape is not preserved or no vegetation existed, mature landscape materials shall be installed in accordance with a plan approved by the Board of Trustees after receiving the recommendations of the Plan Commission.

(d) *Relation to Environment and Existing Development*

The architectural style of proposed buildings and structures shall be related harmoniously to the terrain and to existing buildings and structures, to the extent possible, that have visual relationship to the proposed buildings and structures with an emphasis designed to diminish the apparent size of buildings. The density should be compatible with adjoining properties. All attempts shall be made to preserve natural wooded areas and topography. A creative approach to land development is encouraged if overall densities from the development may be reduced as a result of special circumstances and sensitivity to the existing landscape.

(e) *Utility Services*

Electric and telephone lines shall be underground.

(5) *Village Board Approval or Denial*

The Board of Trustees may grant the proposed special use, grant conditional approval or deny the special use in accordance with statute or may refer it back to the Plan Commission for further consideration. Such approval shall not constitute subdivision approval. If such development is not expressly subject to the subdivision ordinance of the Village, said development shall meet those standards for improvements set forth in said ordinance as required by the Board of Trustees following the recommendation of the Plan Commission.



The Plan Commission shall recommend approval of, and the Board of Trustees shall approve, a site plan submitted pursuant to this subsection on the basis of specific written findings. In addition to the findings required under Section XIII of this Ordinance, no special use may be granted hereunder unless findings are made that:

- (a) *The development will enhance the appearance of the area by preservation of natural features of the property.*
 - (b) *The site plan must meet specified standards required by this Ordinance with respect to the proposed development or use.*
 - (c) *The proposed site plan must be designed in a manner that will not interfere with easements, roadways, rail lines or public or private rights-of-way.*
 - (d) *The proposed site plan must be designed in a manner that will not unreasonably destroy, damage, detrimentally modify or interfere with the enjoyment of significant natural, topographical or physical features of the site which can be preserved consistent with the development of the site for permitted uses.*
 - (e) *The proposed site plan must be designed so as not to dominate the immediate vicinity or to interfere with the development, use and enjoyment of neighboring property.*
 - (f) *The screening of the site and tree preservation must provide adequate shielding from or for nearby uses.*
 - (g) *Individual buildings and units must be arranged and situated to relate to surrounding properties and to improve the view from and the view of buildings.*
 - (h) *The proposed site plan must make adequate provision for the creation or preservation of open space and its continued maintenance.*
 - (i) *The proposed site plan must be designed in a manner which will not create drainage or erosion problems.*
 - (j) *The proposed site plan must be designed in a manner which will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety and general welfare.*
- (6) *Modification of Requirements - Site Plan Review*

Modification of specific requirements of this Subsection VI,B,2,n shall be permitted consistent with the intent of this Subsection VI,B,2,n to permit greater flexibility in design standards so as to encourage more innovative and imaginative site design. Modification of specific requirements of this Subsection VI,B,2,n shall also be permitted to allow development for such use, but only if developed in a manner consistent with the overall intent of such lot and bulk regulation standards. The specific standards herein before set forth may be modified on the basis of a specific site plan which demonstrably achieves the basic purposes of such standards such as



insuring appropriate relationships between buildings and structures, preventing overcrowding and providing a safe and attractive living environment. Any such modifications, however, shall not increase the permitted density. If any such modifications are requested by formal application and by submission of a specific site plan to control development of the area, after review and consideration of such application and such specific site plan, the Plan Commission may recommend to the Village Board of Trustees such modifications as it deems appropriate without further public hearings, and the Village Board of Trustees shall then make such decision on the proposed modifications as it deems appropriate. There is no specific right to any such modifications hereunder, and, therefore, the decision of the Village Board, whether to grant or deny any requested modification, shall be final. If the decision is to grant any such modifications, then the applicant shall be bound to develop the land in accordance with such decision and the approved site plan.

3. Lot Size Requirements

a. <u>Permitted Uses</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family - lots of record existing on August 11, 1997	5 acres	220 feet
(2) Single-family - lots of record created after August 11, 1997	5 acres	300 feet
(3) Agriculture	20 acres	700 feet
(4) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(5) Public Parks with completely enclosed buildings (Amended by Ordinance A-834-8-00)	300 feet	5 acres
b. <u>Special Uses</u>		
(1) Convents, monasteries and seminaries	5 acres	300 feet
(2) Colleges and Universities	20 acres	800 feet
(3) Garden and plant nursery plots	5 acres	300 feet
(4) Hospitals	25 acres	800 feet
(5) Outdoor recreational uses	5 acres	300 feet
(6) Planned unit developments	40 acres	800 feet



Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

- (7) Schools, public and private
 - (a) Elementary school 5 acres 300 feet
 - (b) Junior high school 10 acres 300 feet
 - (c) High school 20 acres 800 feet
- (8) Public utility and governmental facilities (As established by Special Use Approval)
- (9) Churches, temples, or synagogues (including accessory day care and pre-school programs) 5 acres 300 feet
- (10) Community centers, museums, libraries, and other cultural facilities (As established by Special Use Approval)

4. Floor Area Ratio

Not to exceed 0.1.

5. Building Height

- a. **Residential Use** - not more than two and one half stories or 35 feet, whichever is lower. (Amended by Ordinance A-834-29-01)
- b. **Non-Residential Use** - not more than 45 feet.

6. Minimum Ground Floor Area Per Dwelling

- a. One-story dwellings -- not less than 1,800 square feet.
- b. Dwellings having more than one story.
 - (1) not less than 1,200 square feet for a one and one-half story dwelling.
 - (2) not less than 950 square feet for a two story or two and one-half story dwelling.

7. Yard Requirements

a. **Permitted Uses**

	<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1) Single-family detached dwelling	50 feet	20 feet	50 feet	60 feet
(2) Other Permitted				



Uses 50 feet 20 feet 50 feet 60 feet

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

- (3) Public Parks
withoutSame as minimum required for
completely single-family detached dwellings
enclosed
buildings

- (4) Public Parks 100 feet 40 feet 100 feet 100 ft
with
completely
enclosed buildings
(Amended by Ordinance A-834-8-00)

- b. Special Uses** 100 feet 40 feet 100 feet 100 ft

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

8. Off Street Parking and Loading

In accordance with applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.C R-2 SINGLE-FAMILY RESIDENCE DISTRICT

C. R-2 SINGLE-FAMILY RESIDENCE DISTRICT

The R-2 Single Family Residence District is intended to provide a low density single family residential environment of suburban estate character.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Accessory dwellings for non-gratuitous guests, domestic employees, or extended family. (Amended by Ordinance A-834-03-13)
- b. Convents, monasteries and seminaries.
- c. Colleges, universities and accessory uses thereto.
- d. Community centers, museums, libraries, and other cultural facilities.
- e. Golf courses, standard or par 3.
- f. Garden and plant nursery plots not including retail sales.
- g. Hospitals.
- h. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- i. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.
- j. Schools, public or private.
- k. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.



- (2) Police stations.
- (3) Fire stations.
- (4) Railroad rights-of-way.
- (5) Water filtration plants, pumping stations, and reservoirs.
- (6) Municipal Administration Offices
- (7) Village owned public works facility or garage
- k. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- l. Accessory uses customarily incidental to the above special uses.
- m. Sheltered/skilled care facility as regulated in the R-1 District.

3. Lot Size Requirements

a. Permitted Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family detached dwellings	2.0 acres	200 feet
(2) Agriculture	20 acres	700 feet
(3) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(4) Public Parks with completely enclosed buildings	300 feet	5 acres

(Amended by Ordinance A-834-10-04)

b. Special Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Convents, monasteries and seminaries	5 Acres	300 feet
(2) Colleges and Universities	20 Acres	800 feet
(3) Garden and Plant Nursery Plots		



- | | | | |
|-----|---------------------------|----------|----------|
| (4) | Hospitals | 25 Acres | 800 feet |
| (5) | Outdoor recreational uses | 5 Acres | 300 feet |
| (6) | Planned Unit Developments | 40 Acres | 800 feet |

Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

- | | | | |
|------|--|---|----------|
| (7) | Schools, public and private | | |
| | (a) Elementary School | 5 Acres | 300 feet |
| | (b) Junior High School | 10 Acres | 300 feet |
| | (c) High School | 20 Acres | 800 Feet |
| (8) | Public Utility and Governmental Facilities | As established by Special Use Approval | |
| (9) | Churhes, temples, or synagogues (including accessory day care and pre-school programs) | 5 Acres | 300 feet |
| (10) | Community Centers, Museums, Libraries, and other cultural facilities | As established by Special Use Ordinance | |

4. Floor Area Ratio

Not to exceed 0.1.

5. Building Height

- a. Single-family detached dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- b. Non-residential uses -- not more than 45 feet.

6. Minimum Ground Floor Area Per Dwelling

- a. One-story dwellings -- not less than 1,800 square feet.
- b. Dwellings having more than one story:
 - (1) not less than 1,200 square feet for a one and one-half story dwelling.
 - (2) not less than 950 square feet for a two story or two and one-half story dwelling.



7. Yard Requirements

a. <u>Permitted Uses</u>	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
(1) Single-family detached dwellings	50 feet	20 feet	50 feet	60 feet
(2) Agriculture	100 feet	50 feet	100 feet	60 feet
(3) Other Permitted Uses	50 feet	20 feet	50 feet	60 feet

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

(4) Public Parks without completely enclosed buildings	50 feet	20 feet	50 feet	60 feet
	Same as minimum for single-family detached dwellings			
(5) Public Parks with completely enclosed buildings	100 feet	40 feet	100 feet	100 feet

(Amended by Ordinance A-834-8-00)

a. <u>Special Uses</u>	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
	100 feet	40 feet	100 feet	100 feet

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

8. Off-Street Parking and Off-Street Loading

In accordance with applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.D R-2A SINGLE-FAMILY RESIDENCE DISTRICT

D. R-2A SINGLE-FAMILY RESIDENCE DISTRICT

The R-2A Single Family Residence District is intended to create large lot residential areas offering generous yards and setbacks within the context of a residential subdivision environment.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Convents, monasteries and seminaries.
- b. Colleges, universities and accessory uses thereto.
- c. Community centers, museums, libraries, and other cultural facilities.
- d. Golf courses, standard or par 3.
- e. Garden and plant nursery plots not including retail sales.
- f. Hospitals.
- g. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- h. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.
- i. Schools, public or private.
- j. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.
 - (2) Police stations.



- (3) Fire stations.
- (4) Railroad rights-of-way.
- (5) Water filtration plants, pumping stations, and reservoirs.
- (6) Municipal Administration Offices
- (7) Village owned public works facility or garage
- k. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- l. Accessory uses customarily incidental to the above special uses.
- m. Sheltered/skilled care facility as regulated in the R-1 District.

3. Lot Size Requirements

a. Permitted Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family detached dwellings	40,000 sq. ft.	130 feet
(2) Agriculture	20 acres	700 feet
(3) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(4) Public Parks with completely enclosed buildings (Amended by Ordinance A-834-8-00)	300 feet	5 acres

b. Special Uses

(1) Convents, monasteries and seminaries	5 acres	300 feet
(2) Colleges and Universities	20 acres	800 feet
(3) Garden and plant nursery plots	5 acres	300 feet
(4) Hospitals	25 acres	800 feet
(5) Outdoor recreational uses	5 acres	300 feet
(6) Planned unit developments	40 acres	800 feet

Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

- (7) Schools, public and



private			
(a) Elementary school	5 acres	300 feet	
(b) Junior high school	10 acres	300 feet	
(c) High school	20 acres	800 feet	

- (8) Public utility and governmental facilities (As established by Special Use Approval)
- (9) Churches, temples, or synagogues (including accessory day care and pre-school programs) 5 acres 300 feet
- (10) Community centers, museums, libraries, and other cultural facilities (As established by Special Use Approval)

4. Floor Area Ratio

Not to exceed 0.20.

5. Building Height

- a. Single-family detached dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- b. Non-residential uses -- not more than 45 feet.

6. Minimum Ground Floor Area Per Dwelling

- a. One-story dwellings -- not less than 1,800 square feet.
- b. Dwellings having more than one story:
 - (1) not less than 1,200 square feet for a one and one-half story dwelling.
 - (2) not less than 950 square feet for a two story or two and one-half story dwelling.

7. Yard Requirements

a. Permitted Uses

	<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1) Single-family detached dwellings	50 feet	15 feet	40 feet	60 feet
(2) Agricultural	100 feet	50 feet	100 feet	60 feet
(3) Other permitted uses	50 feet	20 feet	50 feet	60 feet



In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

- (4) Public Parks withoutSame as minimum required for completely enclosed buildings single-family detached dwellings
- (5) Public Parks 100 ft 40 ft 100 ft 100 ft with completely enclosed buildings (Amended by Ordinance A-834-8-00)

b. Special Uses 100 ft 40 ft 100 ft 100 ft

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date. In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

8. Off-Street Parking and Off-Street Loading

In accordance with applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.E R-2B SINGLE-FAMILY RESIDENCE DISTRICT

E. R-2B SINGLE-FAMILY RESIDENCE DISTRICT

The R-2B Single Family Residence District is intended to create a residential environment offering adequate lot area for the typical new home size in the Village while maintaining the open feeling of a large lot zoning district.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Convents, monasteries and seminaries.
- b. Colleges, universities and accessory uses thereto.
- c. Community centers, museums, libraries, and other cultural facilities.
- d. Golf courses, standard or par 3.
- e. Garden and plant nursery plots not including retail sales.
- f. Hospitals.
- g. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- h. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.
- i. Schools, public or private.
- j. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.
 - (2) Police stations.



- (3) Fire stations.
- (4) Railroad rights-of-way.
- (5) Water filtration plants, pumping stations, and reservoirs.
- (6) Municipal Administration Offices
- (7) Village owned public works facility or garage
- k. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- l. Accessory uses customarily incidental to the above special uses.
- m. Sheltered/skilled care facility as regulated in the R-1 District.

3. Lot Size Requirements

a. Permitted Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family detached dwellings	30,000 sq. ft	125 feet
(2) Agriculture	20 acres	700 feet
(3) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(4) Public Parks with completely enclosed buildings (Amended by Ordinance A-834-8-00)	300 feet	5 acres

b. Special Uses

(1) Convents, monasteries and seminaries	5 acres	300 feet
(2) Colleges and Universities	20 acres	800 feet
(3) Garden and plant nursery plots	5 acres	300 feet
(4) Hospitals	25 acres	800 feet
(5) Outdoor recreational uses	5 acres	300 feet
(6) Planned unit developments	40 acres	800 feet

Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the



special use permit for the planned unit development and any other related zoning provisions in existence on that date.

- (7) Schools, public and private
 - (a) Elementary school 5 acres 300 feet
 - (b) Junior high school 10 acres 300 feet
 - (c) High school 20 acres 800 feet
- (8) Public utility and governmental facilities (As established by Special Use Approval)
- (9) Churches, temples, or synagogues (including accessory day care and pre-school programs) 5 acres 300 feet
- (10) Community centers, museums, libraries, and other cultural facilities (As established by Special Use Approval)

4. Floor Area Ratio

Not to exceed 0.20.

5. Building Height

- a. Single-family detached dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- b. Non-residential uses -- not more than 45 feet.

6. Minimum Ground Floor Area Per Dwelling

- a. One-story dwellings -- not less than 1,800 square feet.
- b. Dwellings having more than one story:
 - (1) not less than 1,200 square feet for a one and one-half story dwelling.
 - (2) not less than 950 square feet for a two story or two and one-half story dwelling.

7. Yard Requirements

a. Permitted Uses

	<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1) Single-family detached dwellings	40 feet	17 feet	40 feet	55 feet
(2) Agricultural	100 feet	50 feet	100 feet	60 feet



- | | | | | | |
|-----|----------------------|---------|---------|---------|---------|
| (3) | Other permitted uses | 50 feet | 20 feet | 50 feet | 60 feet |
|-----|----------------------|---------|---------|---------|---------|

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

- | | | | | | |
|-----|--|---|--|--|--|
| (4) | Public Parks without completely enclosed buildings | Same as minimum required for single-family detached dwellings | | | |
|-----|--|---|--|--|--|

- | | | | | | |
|-----|--|----------|---------|----------|----------|
| (5) | Public Parks with completely enclosed buildings
(Amended by Ordinance A-834-8-00) | 100 feet | 40 feet | 100 feet | 100 feet |
|-----|--|----------|---------|----------|----------|

- | | | | | | |
|-----------|----------------------------|----------|---------|----------|----------|
| b. | <u>Special Uses</u> | 100 feet | 40 feet | 100 feet | 100 feet |
|-----------|----------------------------|----------|---------|----------|----------|

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

8. Off-Street Parking and Off-Street Loading

In accordance with applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.F R-3 SINGLE-FAMILY RESIDENCE DISTRICT

F. R-3 SINGLE-FAMILY RESIDENCE DISTRICT

The R-3 Single Family Residence District is intended to provide for moderate density single family development on lots at least 20,000 square feet in size.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Convents, monasteries and seminaries.
- b. Colleges, universities and accessory uses thereto.
- c. Community centers, museums, libraries, and other cultural facilities.
- d. Golf courses, standard or par 3.
- e. Garden and plant nursery plots not including retail sales.
- f. Hospitals.
- g. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- h. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.
- i. Schools, public or private.
- j. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.
 - (2) Police stations.



- (3) Fire stations.
- (4) Railroad rights-of-way.
- (5) Water filtration plants, pumping stations, and reservoirs.
- (6) Municipal Administration Offices
- (7) Village owned public works facility or garage
- k. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- l. Accessory uses customarily incidental to the above special uses.
- m. Sheltered/skilled care facility as regulated in the R-1 District.

3. Lot Size Requirements

a. Permitted Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family detached dwellings	20,000 square feet	100 feet
(2) Agriculture	20 Acres	700 feet
(3) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(4) Public Parks with completely enclosed buildings	5 Acres	300 feet

(Amended by Ordinance A-834-8-00)

b. Special Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Convents, monasteries, and seminaries	5 Acres	300 feet
(2) Colleges and Universities	20 Acres	800 feet
(3) Garden and plant nursery plots	5 Acres	300 feet
(4) Hospitals	25 Acres	800 feet



- | | | | |
|-----|---------------------------|----------|----------|
| (5) | Outdoor recreational uses | 5 Acres | 300 feet |
| (6) | Planned Unit Developments | 40 Acres | 800 feet |

Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

- | | | | |
|------|---|--|----------|
| (7) | Schools, public and private: | | |
| | (a) Elementary School | 5 Acres | 300 feet |
| | (b) Junior High School | 10 Acres | 300 feet |
| | (c) High School | 20 Acres | 800 feet |
| (8) | Public Utility and governmental facilities | (As established by Special Use Approval) | |
| (9) | Churches, temples, or synagogues (including accessory day care and pre-school programs) | 5 Acres | 300 feet |
| (10) | Community centers, museums, libraries, and other cultural facilities | (As established by Special Use Approval) | |

4. Floor Area Ratio

Not to exceed 0.2.

5. Building Height

- a. Single-family detached dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- b. Non-residential uses -- not more than 45 feet.

6. Minimum Ground Floor Area Per Dwelling

- a. One-story dwellings -- not less than 1,500 square feet.
- b. Dwellings having more than one story:
 - (1) not less than 1,125 square feet for a one and one-half story dwelling.
 - (2) not less than 750 square feet for a two story or two and one-half story dwelling.



7. **Yard Requirements**

a. **Permitted Uses**

		<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1)	Single-family detached dwellings	30 feet	10 feet	30 feet	50 feet
(2)	Agriculture	100 feet	50 feet	100 feet	60 feet
(3)	Other Permitted Uses	50 feet	20 feet	50 feet	60 feet

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

(4)	Public Parks without completely enclosed buildings	Same as minimum required for single-family dwellings (Amended by Ordinance A-834-8-00)			
(5)	Public Parks with completely enclosed buildings	100 feet	40 feet	100 feet	100 feet

b. **Special Uses**

		<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1)	All Special Uses	100 feet	40 feet	100 feet	100 feet

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

8. **Off-Street Parking and Off-Street Loading**

In accordance with applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.G R-4 SINGLE-FAMILY RESIDENCE DISTRICT

G. PRIOR R-4 SINGLE-FAMILY RESIDENCE DISTRICT - APPENDIX III

Prior to the adoption of this 1996 Comprehensive Amendment, there existed a residential zoning classification known as the R-4 Single-Family Residence District. It is hereby found and determined that the regulations provided for therein are not in keeping with the Official Comprehensive Plan of the Village nor in keeping with the trend of development within the Village. Moreover, the areas surrounding that portion of the Village which was zoned under such classification have been developed in a more restrictive manner than such R-4 District regulations. Therefore, it has been hereby found and determined that the prior R-4 Single-Family Residence District classification, and all regulations thereunder, be and are hereby declared of no further force and effect; provided, however, any property which was zoned under said R-4 Single-Family Residence District classification prior to July 1, 1991, shall be governed by the regulations set forth in Appendix III attached hereto and made a part hereof and any specific special use (either a planned unit development or otherwise) issued prior to July 1, 1991, and any such property shall not be considered as a non-conforming use, either lawful or unlawful.



BURR RIDGE ZONING ORDINANCE

SECTION VI.H R-5 SINGLE-FAMILY RESIDENCE DISTRICT

H. R-5 PLANNED RESIDENCE DISTRICT

The R-5 Planned Residence District is intended to accommodate a variety of dwelling types within a development of not less than 80 acres.

1. Permitted Uses

- a. Agriculture.
- b. Single-family detached dwellings.
- c. Accessory uses customarily incidental to the above permitted uses.
- d. Single-family clustered dwellings
- c. Single-family attached dwellings and multiple-family dwellings occupying not more than forty (40%) percent of the gross site area zoned R-5, provided that the gross density of the said total contiguous area shall not exceed 4.20 dwelling units per acre.
- d. Public Parks and those uses and structures accessory to a public park including but not limited to recreation and administration buildings, gymnasiums, concession and rest room facilities, gazebos, picnic shelters, playing fields, athletic courts, parking lots, fences, playgrounds and playground equipment, and similar uses and structures.
(Amended by Ordinance A-834-8-00)

2. Special Uses

- a. Convents, monasteries and seminaries.
- b. Colleges, universities and accessory uses thereto.
- c. Community centers, museums, libraries, and other cultural facilities.
- d. Golf courses, standard or par 3.
- e. Garden and plant nursery plots not including retail sales.
- f. Hospitals.
- g. Outdoor recreation uses, private, public, or semi-public of a non-intensive nature, specifically excluding commercial driving ranges, miniature golf courses, water slides, batting cages and similar uses.
- h. Planned unit developments as governed by Section XIII and the specific ordinance approving each such planned unit development.
- i. Schools, public or private.



- j. Public utility and governmental service uses on lots having areas and widths as approved by the Board of Trustees.
 - (1) Utility substations.
 - (2) Police stations.
 - (3) Fire stations.
 - (4) Railroad rights-of-way.
 - (5) Water filtration plants, pumping stations, and reservoirs.
 - (6) Municipal Administration Offices
 - (7) Village owned public works facility or garage
- k. Churches, temples, or synagogues (including accessory day care and pre-school programs).
- l. Accessory uses customarily incidental to the above special uses.
- m. Sheltered/skilled care facility as regulated in the R-1 District.

3. Minimum Site Area

The minimum area to which this R-5 classification may be applied (i.e. minimum size of a parcel for rezoning to the R-5 District) is 80 contiguous acres.

4. Lot Size Requirements

a. Permitted Uses

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) Single-family detached dwellings	12,000 sq. ft	80 feet
(2) Single-family clustered dwellings	5,000 sq. feet	50 feet
(3) Single-family attached & multi-family dwellings	3,000 sq. feet per unit	100 feet
(4) Agriculture	20 acres	700 feet
(5) Public Parks without completely enclosed buildings	Same as minimum required for single-family detached dwellings	
(6) Public Parks with completely enclosed buildings (Amended by Ordinance A-834-8-00)	300 feet	5 acres

b. Special Uses

(1) Convents, monasteries and seminaries	5 acres	300 feet
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(2)	Colleges and Universities	20 acres	800 feet
(3)	Garden and plant nursery plots	5 acres	300 feet
(4)	Hospitals	25 acres <u>Minimum Lot Area</u>	800 feet <u>Minimum Lot Width</u>
(5)	Outdoor recreational uses	5 acres	300 feet
6)	Planned unit developments	40 acres	800 feet

Except for Planned Unit Developments existing as of August 1, 1995, which will be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

(7)	Schools, public and private		
	(a) Elementary school	5 acres	300 feet
	(b) Junior high school	10 acres	300 feet
	(c) High school	20 acres	800 feet
(8)	Public utility and governmental facilities	(As established by Special Use Approval)	
(9)	Churches, temples, or synagogues (including accessory day care and pre-school programs)	5 acres	300 feet
(10)	Community centers, museums, libraries, and cultural facilities	(As established by Special Use Approval)	

5. Maximum Floor Area Ratio Not to exceed .5.

6. Maximum Building Height

- a. Single-family attached dwellings, single-family detached dwellings and single-family clustered dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- b. Multiple-family dwellings -- not more than two and one-half stories or 30 feet (measured to the peak of the roof), whichever is lower.
- c. Flat roofs are prohibited.

7. Minimum Ground Floor Area Per Dwelling Unit

- a. Single-family detached dwellings:
 - (1) One-story dwellings -- not less than 1,500 square feet.
 - (2) Dwellings having more than one story:



- (a) not less than 1,125 square feet for a one and one-half story dwelling.
- (b) not less than 750 square feet for a two story or two and one-half story dwelling.
- b. Single-family clustered dwellings -- 1,200 square feet;
- c. Single-family attached dwellings and multiple-family dwellings -- excluding garages, balconies, basements, utility rooms, and areas common to the operation and maintenance of the entire building, 900 square feet, except such dwelling units containing more than one bedroom shall be as follows:
 - (1) two-bedroom dwelling units -- 1,200 square feet;
 - (2) three-bedroom dwelling units -- 1,600 square feet;
 - (3) units with over three bedrooms -- 200 additional square feet for each bedroom.

8. Yard Requirements

a. Permitted Uses:

Minimum yards shall be provided in compliance with the following regulations:

	<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
(1) Single-family detached dwellings	30 feet	10 feet	30 feet	50 feet
(1) Single-family clustered dwellings	40 feet	10 feet*	40 feet	30 feet
(2) Single-family semi-detached, attached and multiple-family dwellings	30 feet	15 feet	30 feet	30 feet

(4) *Interior side yards for single-family clustered dwellings on interior lots may be less than 10 feet provided the side yards shall have a combined width of 10 feet and the separation between buildings on adjoining lots shall be 10 feet.

(5) *The interior side yard for single-family clustered dwellings on corners lots may be eliminated provided the minimum separation from buildings on adjoining lots shall be 10 feet.

(6) In addition to setbacks from property lines, the minimum yard requirements for single-family attached and multiple-family dwellings shall be provided around the perimeter of each building. The yard requirements for a principal building shall not encroach into the yard requirements for any other principal building.



- (7) All permitted uses not listed above shall comply with the setback requirements of the R-1 Single-Family Residence District.
- (8) Public Parks without completely enclosed buildings Same as minimum required for single-family detached dwellings
- (9) Public Parks with completely enclosed buildings (Amended by Ordinance A-834-8-00)

100 feet	40 feet	100 feet	100 ft
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b. Special Uses

<u>Front Yard</u>	<u>Interior Side Yard</u>	<u>Corner Side Yard</u>	<u>Rear Yard</u>
100 feet	40 feet	100 feet	100 ft

Planned Unit Developments existing as of August 1, 1995, shall be regulated solely by the ordinance granting the special use permit for the planned unit development and any other related zoning provisions in existence on that date.

In addition, for buildings over 30 feet in height, each side yard shall be increased by two feet for each additional one foot in building height.

c. Transitional Yards

All interior side yards and rear yards abutting property in another zoning district and subdivision shall be a minimum of 50 feet.

9. Minimum Open Space

Areas of single-family clustered, single-family attached, and multiple-family development shall be provided with open space area equal to 1.0 times the floor area of the residential buildings.

10. Off-Street Parking and Off-Street Loading

Off-street parking and loading in accordance with the applicable regulations set forth in Section XI.



BURR RIDGE ZONING ORDINANCE

SECTION VI.I R-6 SINGLE-FAMILY RESIDENCE DISTRICT

I. PRIOR R-6 RESIDENTIAL & CONGREGATE CARE DISTRICT – APPENDIX IV

Prior to the adoption of this 1997 Comprehensive Amendment, there existed a residential zoning classification known as the R-6 Residential and Congregate Care District. It is hereby found and determined that the regulations provided for therein are not in keeping with the Official Comprehensive Plan of the Village nor in keeping with the trend of development within the Village. Moreover, the areas surrounding that portion of the Village which was zoned under such classification have been developed in a more restrictive manner than such R-6 District regulations. Therefore, it has been hereby found and determined that the prior R-6 Residential and Congregate Care District classification, and all regulations thereunder, be and are hereby declared of no further force and effect; provided, however, any property which was zoned under said R-6 Residential and Congregate Care District classification prior to July 1, 1991, shall be governed by the regulations set forth in Appendix IV attached hereto and made a part hereof and any specific special use (either a planned unit development or otherwise) issued prior to July 1, 1991, and any such property shall not be considered as a non-conforming use, either lawful or unlawful.



BURR RIDGE ZONING ORDINANCE

SECTION VI.J COUNTY LINE ROAD OVERLAY DISTRICT

J. COUNTY LINE ROAD OVERLAY REGULATIONS

1. Findings

- a. The area adjoining County Line Road is a unique area with special significance and character different from other properties in the Village, since it is the main entryway to the Village and serves as the focal point for the Village and there exists currently estate-like development along such Road. Thus, development along County Line Road has a unique impact on the entire Village and its residents, sets the tone for the Village, and, if properly developed with high quality residential development of an estate-like character will enhance and increase property values not only for land along said Road but for the entire Village as well.
- b. The Village of Burr Ridge is convinced that the preservation and development of this area requires additional rules and regulations supplementing existing ordinances in order to specifically address the unique character of the area.
- c. The County Line Road Corridor Area includes and affects all that property adjoining County Line Road.
- d. A public hearing and continued public hearings have been held by the Plan commission of the Village pursuant to published and mailed notice to property owners in the County Line Road Corridor Area.
- e. The creation of the County Line Road Corridor Area and the following rules and regulations regarding development therein is consistent with and fosters the purposes and intent of this Zoning Ordinance as set forth in Section II hereof.
- f. The creation of the County Line Road Corridor Area and the following rules and regulations regarding development therein will promote and enhance orderly development within both the Corridor Area and the Village as a whole, and will preserve and enhance property values within both the Corridor Area and the Village as a whole.

2. Definitions

- a. The "County Line Road Corridor Area" shall include all property adjoining County Line Road, regardless of the depth of such property from County Line Road and whether such property is zoned to permit residential, non-residential or planned unit development uses. Non-residential property within the County Line Road Corridor Area which is divided after August 10, 1987, may be developed with higher densities than those set forth in Section VI,J,5 and VI,J,6 of this Ordinance with the approval of the Board of Trustees.
- b. "Property adjoining County Line Road" shall include all lots, parcels, or tracts of land which have frontage on County Line Road as of August 10,



1987, and shall include all of such lot, parcel or tract as the same exists as of August 10, 1987, regardless of any future division or subdivision thereof.

3. Intent and Purpose

The provisions of this Section are intended to order and control growth within the area described as the County Line Road Corridor Area, hereinafter sometimes referred to as "Area", and for the following additional purposes:

- a. To promote the public health, safety, morals, comfort and general welfare of the citizens of said Area and of the Village.
- b. To enhance the values of property throughout the said Area and the Village.
- c. To encourage and foster development in the Area of a high quality residential nature and to preserve and promote an estate-like atmosphere in the Area.
- d. To encourage and promote the attractiveness, cohesiveness and compatibility of new buildings and development so as to maintain and improve established standards of property values within the Area consistent with its character.
- e. To otherwise foster and promote the purposes and spirit of this Burr Ridge Zoning Ordinance as set forth in Section II hereof.

4. Establishment of County Line Road Corridor Area

The County Line Road Corridor Area is hereby established. The provisions of this Section shall be in addition to existing zoning restrictions which shall continue to apply to the erection, construction, alteration or repair of any building or structure and the development of any property in the Area and no building permits shall be issued nor shall any development be approved except as provided herein. When restrictions herein are inconsistent with existing restrictions in other sections of this Burr Ridge Zoning Ordinance, then these regulations shall apply and govern any development in the Area.

5. Regulations

- a. **Lot Area** - the minimum lot area for those lots adjoining County Line Road shall be 40,000 square feet per unit. Provided, however, for all property adjoining County Line Road between 77th Street and 79th Street, such properties shall be required to meet all of the bulk requirements (including lot area, lot width, floor area ratio and yards) of the R-3 Single Family Residence District.
- b. **Lot Width** - the minimum lot width or frontage for those lots adjoining County Line Road shall be 130 feet.
- c. **Floor Area Ratio** - the maximum floor area ratio for those lots adjoining County Line Road shall be 0.20.
- d. **Yards for Those Lots Adjoining County Line Road**
 - (1) **Yards adjoining County Line Road, whether a front or corner side yard** - not less than 80 feet from the nearest street right-of-way boundary line of County Line Road; provided, however, that such yard may be reduced to not less than 60 feet provided that the property is landscaped in accordance with a landscaping plan approved by the Village and provided that a Declaration of Covenants or landscape easement be recorded to ensure the



maintenance of said landscaping in such a manner as to retain at least the intended standards of the approved landscaping plan.

- (2) **Side yards** - each side yard for a lot which has its narrowest dimension along the County Line Road frontage of the lot shall have a width of 25 feet.
- (3) **Corner side yards** - on corner lots, the side yard adjoining a street intersecting with County Line Road shall be not less than 50 feet.
- (1) **Any yard in B-1 Retail Business District** - for any yard adjoining County Line Road the yard in a B-1 Retail Business District shall be not less than 100 feet from the nearest street right-of-way boundary line of County Line Road.

6. Subsequent Divisions

If any lot, parcel, or tract adjoining County Line Road existing as of August 10, 1987, is subsequently subdivided or divided in any manner whatsoever, the above requirements shall be applicable only to those lots, after subdivision or division, which then adjoin County Line Road, and the remainder of the original lot, parcel or tract may be developed with higher densities provided that no such future lots, parcels or tracts shall be less than the then existing requirements of the underlying zoning for the land or the R-5 Single Family Residence District classification, whichever is less dense, under the Burr Ridge Zoning Ordinance. The applicable lot area, lot width, floor area ratio and yard requirements shall be as approved by the Corporate Authorities of the Village after a public hearing thereon before the Plan Commission of this Village and after said Corporate Authorities have received the recommendation of the Plan Commission.

7. Interpretation of Provisions

The provisions of this Section shall be in addition to the existing provisions of the Zoning Ordinance; provided, however, that where any provision of said Zoning Ordinance of the Village may conflict with a provision of this Section, the provisions of this Section VI.J shall apply and govern.



BURR RIDGE ZONING ORDINANCE

SECTION VII TRANSITIONAL DISTRICTS

A. PURPOSE

The Transitional District is designed to promote orderly and sound planning between residential and non-residential districts by providing for graduated uses from the less intense residential areas to the more intense non-residential areas without encroaching upon or negatively affecting residential areas of the Village. The districts are designed to prevent incompatible uses from being located adjacent or in near vicinity to each other. The purpose of these districts shall be to provide for a reasonable and orderly transition from, and buffer between, residential and non-residential uses; to plan for future growth of non-residential uses in a manner which will protect and preserve the integrity and land values of residential areas; to provide a location for certain services needed now or in the future by Village residents; to provide for such non-residential uses in certain locations which are compatible to, but not identical to, both adjacent non-residential and residential uses through maintenance of the residential architectural character of the buildings; and to maintain the quality of life and environment currently enjoyed in the Village.

B. GENERAL PROVISIONS

1. Location

All land or areas to be zoned under the provisions of this Section shall be situated adjacent to major thoroughfares (herein defined as a main or heavily traveled street or road with a high degree of continuity and serving as a trafficway between the various districts of Burr Ridge and/or its environs, such as Madison Street, County Line Road, South Frontage Road, and 79th and 91st Streets) or adjacent to existing industrial, commercial or multi-family zoned areas or uses and shall be as designated on the Village's comprehensive land use (master) plan. The Plan Commission and Village Board must satisfy themselves as to the adequacy of the thoroughfares to accommodate any additional traffic and that any additional traffic will not adversely affect the adjacent residential areas.

2. Nuisances

The activities permitted within such districts shall not generate undue noise, vibration, heat, light, glare, fumes, odors, particulate matter, or smoke perceptible at the district boundary lines beyond that which exists generally in the adjacent residential zone, and if they do, such shall constitute a common law nuisance and a nuisance under the Burr Ridge Municipal Code.

3. Hours of Operation

Hours of operation for any use shall be restricted to the hours of 7:00 a.m. to 10:00 p.m. unless a special use is approved by the Board of Trustees upon recommendation of Plan Commission.

4. Operation Within Enclosed Buildings

All activities, except for an enclosed trash dumpster in compliance with Section IV.I.31, permitted within such zones shall be conducted completely within enclosed buildings, except upon prior application and the recommendation of the Plan Commission, the Board may give prior approval to limited outside activities which,



in the judgment of the Village Board, will not hinder the enjoyment of adjoining residential properties.

5. Signs

All signs shall comply with the applicable provisions of the sign regulations of the Burr Ridge Municipal Code, and it is intended that there be limited outdoor signage.

6. Parking

Off-street parking shall be provided in accordance with the provisions of Subsection IV,I,20 and in accordance with the provisions of Section XI of this Ordinance. In no case shall such off-street parking be permitted anywhere in front of the building, whether in the front yard, the interior side yard, the corner side yard or any buildable area in front of the building. Off-street parking shall be prohibited anywhere in the corner side yard or within a buildable area located between the building and the corner side lot line. In addition, off-street parking must comply with the following:

- a. The parking area setback from the rear lot line must be landscaped and may not include drives or other paved areas.
- b. Parking lot lights shall be no more than 15 feet high and shall be limited by the following factors: an average lighting level of 1.0 foot candle with a minimum of 0.75 foot candle; a uniformity ratio of not greater than 4 - to - 1, and lighting distribution shall be provided by cut-off type fixtures located in such a manner that light will not spill onto adjoining properties. All such parking lot lighting shall be extinguished or reduced in intensity to an average of 0.5 foot candles no later than 30 minutes after the close of business. Provided, however, for land which has received zoning and site plan approval prior to May 29, 1984, the requirements regarding parking lot lights shall be as previously approved.

7. Land Coverage

Except for land which has, prior to May 29, 1984, already received zoning and site plan approval, maximum land coverage, including building, parking areas, drives and other paved areas, shall not exceed 66 percent of the total site. For land which previously received approval, maximum land coverage shall be as approved and indicated in the prior approved site plan.

8. Site Plan Review

No building or occupancy permits shall be issued for any land or use without an approved site plan for such land or use. Any building and site development must comply strictly with the approved site plan, and any building or occupancy permit will not be issued, or will be revoked if already issued, if the approved site plan is not strictly complied with. Any site plan shall indicate the locations of proposed and existing buildings and structures and any proposed new additions to the existing buildings and structures, properly arranged facilities, water detention and drainage facilities, landscaping, buffering to the adjacent residential areas, and such other buffering or features as are necessary or appropriate to maintain the residential character of the premises and to fit harmoniously with the character, use and zoning of adjoining and surrounding properties and to avoid any appreciable adverse effect upon such properties. Such site plan shall also include and/or be accompanied by the documents and information required under Section XIII of this Ordinance. The Plan Commission in its discretion may waive the requirement of submitting any or all such information in connection with applications for approval of site plans for permitted uses in these districts.



Such site plan, and any accompanying documents or information, shall be filed with the Community Development Director, who shall then refer such site plan and documents to the Plan Commission and the Village Engineer, Village Forester and Building Commissioner for review. The Plan Commission shall review the findings of the Village Engineer, Village Forester and Building Commissioner at the first meeting following receipt of a report of their findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed site plan, or approve it with modification, or shall refer the site plan back to the Plan Commission for reconsideration or modification. The Board's approval of a site plan may be conditioned on future approval of revised landscaping plans or engineering, as may be needed due to required site plan modifications.

9. Design of Buildings and Structures

- a. All buildings and structures located within the transitional districts, except for churches and schools, which by their very nature have unique architectural designs, shall be so designed and constructed so that their exterior appearance is in conformance with the general appearance of residential architecture in this Village and so that their appearance is residential in character. All buildings and structures must be scaled to that which reflects a residential character with regard to size, roof slope and window placement, so as to fit harmoniously with the character and use of adjacent residential areas and so as to avoid any appreciable adverse effect upon such residential areas. All buildings and structures shall also comply with the requirements for building height, setbacks, lot size and lot width set forth in this Section.
- b. All exterior building facades in the Transitional Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels, or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as “Dryvit” or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Transitional Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:
 1. The majority of the building’s façade should be brick, natural stone, precast stone, architectural pre-cast panels, or glass.
 2. The first 8 feet from the top of the building’s foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
 3. Stucco shall be installed as per the manufacturer’s specifications. (9b added by Ordinance A-834-01-12).

10. Landscape Review

As part of Subsection 8, Site Plan Review will include the review of proposed landscape design and improvements. All land and uses must be landscaped in accordance with the general appearance in the residential areas of the Village. Further, all such land and uses must be buffered from adjacent residential uses and residentially zoned properties, except schools and churches, through the use of substantial berming and landscaping in accordance with applicable Village regulations and a landscaping plan to be submitted to and approved by the Village.



All such buffering shall be as close to 100 percent opacity as possible, including during the dormant stage of such landscaping; provided, however, cyclone and chain-link fences and concrete block walls are prohibited. Land adjoining schools or churches, where substantial boundary berming and landscaping is not required, shall provide one landscaped island for each 10 parking spaces within the parking area.

The proposed buffering or parking lot landscaping plan shall be filed with the Community Development Director who shall then refer it to the Plan Commission and the Village Forester for review. The Plan Commission shall review the findings of the Village Forester at the first meeting following receipt of a report of his findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed plan, or approve it with modifications, or shall refer the plan back to the Plan Commission for reconsideration or modification.

No occupancy permit shall be issued until the buffering has been completed in strict accordance with the approved plan.

11. Uses in a Building or Structure

Residential uses shall not be permitted in the same structure or building as non-residential uses.

12. One Building on a Lot

Except as otherwise provided herein (e.g., a church and a school on the same lot), there shall be only one building or structure on any lot.

13. Prohibited Use

Single-family detached residences are prohibited.

14. Lots of Record

If a lot was so designated on a subdivision or re-subdivision plan duly recorded in the office of the Recorder of Deeds of either DuPage County or Cook County, Illinois, or registered with the Registrar of Titles of Cook County, Illinois, prior to May 15, 1983, and if such lot does not meet the minimum lot area and/or lot width requirements set out in Section VII,C or Section VII,D below (whichever is applicable), such lot may be used for the purposes permitted in the transitional districts, provided there is conformance with all the other requirements of this Section VII; provided further, however, if any such designated lot which does not comply with such minimum lot area and/or lot width requirements is under the same ownership as any one or more adjacent lots, then the requirements as to lot area and lot width shall nevertheless apply from and after the date of such common ownership to the extent that compliance may be or was possible through the re-location of lot lines or the re-subdivision or combination of such two or more lots by any such owner into a fewer number of lots.



BURR RIDGE ZONING ORDINANCE

SECTION VII.C T-1 TRANSITIONAL DISTRICT

C. T-1 TRANSITIONAL DISTRICT

1. Permitted Uses

- a. Municipal administrative facilities including a detached garage as an accessory use which garage shall be to the rear of the principal building, be of compatible architecture and have a maximum floor area of 2,400 square feet.
- b. Parks
- c. Churches, temples, or synagogues (including accessory day care and pre-school programs)
- d. Multi-family and single-family attached dwelling units not exceeding 3 residential dwelling units per acre.
- e. Schools
- f. Accessory uses customarily incidental to the above permitted uses shall be allowed, provided that such accessory uses are shown on the proposed site plan and have been subject to the site plan review process.

2. Special Uses

- a. Cultural institutions and museums
- b. Funeral homes
- c. Nursing homes
- d. Retirement centers or homes
- e. Dance, music and art studios, but the sale of tangible personal property shall not be allowed if such is the principal use
- f. Libraries
- g. Communities centers
- h. Day care centers
- i. Offices, including medical and dental
- j. Accessory uses customarily incidental to the above special uses shall be allowed, provided that such accessory uses are shown on the proposed site plan and have been subject to the site plan review process.



3. Lot Size Requirements

		<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a.	<u>Permitted Uses</u>		
	(1) All uses except those listed below	40,000 sq.ft.	125 ft.
	(2) Churches, temples and synagogues (including accessory day care or nursery schools, but not including elementary, junior high or high schools)	5 acres	300 ft.
	(3) Churches, temples and synagogues with an elementary and/or high schools--not less than the combination of the acreage required for churches above plus the acreage required for a school below		
	(4) Schools, public and private		
	(a) elementary schools	5 acres	300 ft.
	(b) junior high schools	10 acres	300 ft.
	(c) high schools	20 acres	800 ft.
	(5) Multi-family and single-family attached dwelling units	3 acres	200 ft.
b.	<u>Special Uses</u>		
	(1) All uses except those listed below	40,000 sq.ft.	125 ft.
	(2) Cultural institutions and museums	5 acres	300 ft.
	(3) Nursing homes	3 acres	300 ft.
	(4) Retirement centers or homes	3 acres	300 ft.
	(5) Community centers	2 acres	300 ft.
	(6) Child care centers	Minimum Lot Area and Minimum Lot Width shall be as approved by the Corporate Authorities based on the number of children to be served, after receiving the recommendation of the	



Plan Commission.

4. Building Height

Not more than two stories of rentable space or 30 feet, whichever is lower, provided, however, that a building or structure may be 2 1/2 stories or 30 feet, whichever is lower, when the lowest story is only used for underground parking or storage; and further provided, however, a church may be not more than 2 1/2 stories or 35 feet, whichever is lower, and a church steeple shall be allowed to a maximum of 25 feet above the building height of the church.

5. Yard Requirements

a. Transitional Yards

If a lot line within the T-1 District is adjacent to or faces a residential district(s), the required yard of the transitional use which is adjacent to or so faces the residential district(s) shall be equal to the adjacent required yard of said residential district or as follows, whichever is greater:

- | | |
|------------------------|----------|
| (1) Front yard | 100 feet |
| (2) Corner side yard | 50 feet |
| (3) Interior side yard | 20 feet |
| (4) Rear yard | 60 feet |

b. Non-Transitional Yards

If a lot line of a permitted or special use within the T-1 District is adjacent to or faces a non-residential district(s), the required yard of the transitional use which is adjacent to or faces the non-residential district(s) shall be established as follows:

- | | |
|-------------------------------------|---------|
| (1) Front yard and corner side yard | 50 feet |
| (2) Interior side yard | 20 feet |
| (3) Rear yard | 40 feet |

6. Floor Area Ratio

Not to exceed 0.24.



BURR RIDGE ZONING ORDINANCE

**SECTION VII.D
T-2 TRANSITIONAL DISTRICT**

D. T-2 TRANSITIONAL DISTRICT

1. Permitted Uses

- a. Professional offices
- b. Multi-family and single-family attached dwelling units not exceeding 3 dwelling units per acre
- c. Accessory uses customarily incidental to the above permitted uses shall be allowed, provided that such accessory uses are shown on the proposed site plan and have been subject to the site plan review process.

2. Special Uses

- a. Administrative and executive offices
- b. Accessory uses customarily incidental to the above special uses shall be allowed, provided that such accessory uses are shown on the proposed site plan and have been subject to the site plan review process.

3. Lot Size Requirements

		<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a.	<u>Permitted Uses</u>		
	(1) Professional offices	40,000 sq.ft.	125 ft.
	(2) Multi-family and single-family attached dwelling units	3 acres	200 ft
b.	<u>Special Uses</u>		
	(1) Administrative and executive offices	40,000 sq.ft	125 ft.

4. Building Height

Not more than two stories of rentable space or 30 feet, whichever is lower, provided, however, that a building or structure may be 2 1/2 stories or 30 feet, whichever is lower, when the lowest story is only used for underground parking or storage; and further provided, however, a church may be not more than 2 1/2 stories or 35 feet, whichever is lower, and a church steeple shall be allowed to a maximum of 25 feet above the building height of the church.



5. Yard Requirements

a. Transitional Yards

If a lot line within the T-1 District is adjacent to or faces a residential district(s), the required yard of the transitional use which is adjacent to or so faces the residential district(s) shall be equal to the adjacent required yard of said residential district or as follows, whichever is greater:

- | | |
|------------------------|----------|
| (1) Front yard | 100 feet |
| (2) Corner side yard | 50 feet |
| (3) Interior side yard | 20 feet |
| (4) Rear yard - | 60 feet |

b. Non-Transitional Yards

If a lot line of a permitted or special use within the T-1 District is adjacent to or faces a non-residential district(s), the required yard of the transitional use which is adjacent to or faces the non-residential district(s) shall be established as follows:

- | | |
|-------------------------------------|---------|
| (1) Front yard and corner side yard | 50 feet |
| (2) Interior side yard | 20 feet |
| (3) Rear yard | 40 feet |

8. Floor Area Ratio

Not to exceed 0.24.



BURR RIDGE ZONING ORDINANCE

SECTION VIII BUSINESS DISTRICTS

A. GENERAL PROVISIONS

1. Permitted Uses

- a. No building, structure, or tract of land shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building, structure, or tract of land shall be located, with the exception of the following:
 - (1) Uses lawfully established on the effective date of this Ordinance. Uses already lawfully established on the effective date of this Ordinance and rendered non-conforming by the provisions shall be subject to the regulations of Section XII.
 - (2) Special uses as allowed in each district.
- b. All business establishments shall be retail trade, office or service establishments dealing directly with consumers and all goods produced on the premises shall be sold on the premises where produced; provided, however, if the premises are less than 3,000 square feet in size and both sells and produces such goods on the premises, such goods may also be sold off-premises as well.

2. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development. In addition, no building or structure shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building or structure is located.

3. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

4. Operation Within Enclosed Buildings

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

- a. Outdoor activities are permitted for uses which by definition require outdoor activities such as parking and loading areas, automobile service stations, car washes, or recreation areas for child care centers and nurseries.
- b. Outdoor activities listed as special uses, such as outdoor dining areas, drive-through windows, and outdoor displays of merchandise, may be approved by the Board of Trustees upon recommendation from the Plan Commission subject to Section XIII, herein.



- c. Temporary (for a limited duration of time) outdoor activities may be permitted subject to written approval by the Community Development Director. Such activities shall not include any permanent improvements, buildings, or structures. Outdoor activities which may be permitted include festivals, tent sales, or seasonal sidewalk sales.

5. Outdoor Dining

Restaurant outdoor dining areas, when permitted as a special use, shall be subject, at a minimum, to the following:

- a. The dining area shall be enclosed by an open fence of approved design preventing access to the outdoor dining area except by a doorway from the interior of the restaurant;
- b. Door to the dining area shall be self-closing;
- c. Tables shall be cleaned promptly following use;
- d. Furniture and umbrellas shall be weighted to prevent their movement in the wind;
- e. Seating shall not exceed one chair for every 10 square feet devoted to outdoor dining and shall be counted in determining restroom and parking requirements;
- f. No outdoor dining area shall be located so as to impede pedestrian traffic or proper access to and from the restaurant;
- g. No public sidewalks or public area may be used for a private restaurant's outdoor dining unless specifically approved by the Village;
- h. Outdoor food preparation, storage or display is prohibited;
- i. Hours of operation of an outdoor dining area shall be as specifically approved by the Village.

6. Nuisances

Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste, or any other environmental reason. All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products, shall conform with the performance standards established in this Ordinance for Manufacturing Districts, provided that performance standards shall in every case be applied at the boundaries of the lot on which such activity takes place.

7. Parking and Loading

- a. With the exception stated below regarding delivery trucks of a business establishment, parking of trucks in the open shall be prohibited. Trucks making deliveries to the business premises shall make deliveries only at loading docks where provided and, if there is no loading dock, such trucks may park only for such time as is necessary to complete the delivery.
- b. Delivery trucks for a business establishment may be parked overnight on a property within the B-1 or B-2 Districts subject to the following:
 1. Parking of delivery trucks shall be limited to two per business



establishment.

2. A delivery truck as defined for purposes of these regulations shall not exceed 24,000 pounds.
 3. Delivery trucks shall be parked in an employee parking lot designated at the time of the site plan approval or in the rear of the business establishment. However, if the rear of the business establishment adjoins a residential district, said delivery trucks shall be screened from view from the residential district or parked to the side of the principal building. Under no circumstances shall a delivery truck be parked between the principal building and the front or corner side property line.
- c. Off-street parking and loading shall be provided in accordance with the regulations established in Section XI of this Ordinance.

8. Signs

All signs shall comply with the applicable provisions of the sign regulations of the Burr Ridge Municipal Code (such Sign Ordinance shall not be construed as being incorporated herein).

9. Building and Site Plan Review

- a. Due to the need to protect valued natural resources and the integrity and environment of the Village's residential neighborhoods, traffic congestion and safety conditions and the land-use character of key intersections, areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. Therefore, all petitions for rezoning to the B-1 or B-2 Districts, all requests for special use approval pursuant to Sections VIII.B.2 and VIII.C.2 herein, and all applications for building permits for the construction of new buildings, building additions, structures, parking lots, and fences within the B-1 or B-2 Districts, shall be subject to building and site plan review and approval. Any building, structure, and site development must comply strictly with the approved site plan, and any building or occupancy permit will not be issued, or will be revoked if already issued, if the development does not strictly comply with the approved site plan.
- b. The site plan shall indicate the locations of proposed and existing buildings and structures and any proposed new additions to the existing buildings and structures, properly arranged facilities, water detention and drainage facilities, landscaping, buffering to adjacent residential areas, and such other buffering or features as are necessary or appropriate to fit harmoniously with the character, use and zoning of adjoining and surrounding properties and to avoid any appreciable adverse effect upon such properties. Such site plan shall also include and/or be accompanied by the documents and information required under Section XIII of this Ordinance. The Plan Commission, in its discretion, may waive the requirement of submitting any or all such information in connection with applications for approval of site plans for uses in the Business Districts.
- c. Such building and site plan and any accompanying documents or information, shall be filed with the Community Development Director. The Community Development Director shall schedule the building and site plan for review by the Plan Commission and shall provide notice of the Plan Commission's scheduled review in compliance with established procedures



for notice of Plan Commission public hearings.

- d. The Community Development Director shall refer such building and site plan and documents to the Plan Commission and the Village Engineer, Village Forester, and Building Commissioner for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Engineer, Village Forester and Building Commissioner at the first meeting following receipt of a report of their findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed site plan, or approve it with modification, or shall refer the site plan back to the Plan Commission for reconsideration or modification. The Plan Commission's recommendation to approve and the Board's approval of building and site plans may be conditioned on future approval of revised landscaping plans or engineering, as may be needed due to required site plan modification.
- e. All exterior building facades in the Business Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels, or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as "Dryvit" or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Business Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:
 1. The majority of a building's façade should be brick, natural stone, pre-cast stone architectural pre-cast panels, or glass.
 2. The first 8 feet from the top of the building's foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
 3. Stucco shall be installed as per the manufacturer's specifications. (9e added by Ordinance A-834-01-12).

10. Landscaping and Buffering

- a. All required parking areas, yards or other required open spaces shall be appropriately landscaped in accordance with Section XI.C.11 and with landscaping plans submitted to and approved by the Village, and thereafter shall be maintained in such a manner as to retain the intended standards of the approved landscaping plan and to conform to the landscaping requirements of the Village. As part of Subsection VIII.A.9, Site Plan Review will include the review of proposed landscape design and improvements. The proposed landscaping plan shall be filed with the Community Development Director, who shall then refer it to the Plan Commission and the Village Forester for review. The Plan Commission shall review the report of the Community Development Director and the findings of the Village Forester at the first meeting following receipt of said report and findings. After such review, the Plan Commission shall submit its recommendation to the Village Board of Trustees, who shall either approve or disapprove the proposed plan, or approve it with modifications, or shall refer the plan back to the Plan Commission for reconsideration or modification.



- b. For any development of a property within a Business District which adjoins or is across the street from a Residential District, a fence or wall of architectural design approved by the Village and not less than five nor more than six feet in height, or a densely planted tree or shrub hedge, initially not less than five feet in height, shall be provided along the entire length of the property line which adjoins or is across the street from the Residential District. The proposed method of buffering shall be considered as part of the site plan review process herein set forth. The decision whether to require a wall, fence, trees, or shrub hedge shall be made by the Village based on site considerations. No occupancy permit shall be issued until the required screening has been completed in strict accordance with the approved plan.

11. Hours of Operation for Business Uses

- a. The hours of operation for all uses within the B-1 and B-2 Districts shall not exceed 7 A.M. to 10 P.M. except as otherwise allowed herein.
- b. Any business use in the B-1 or B-2 District may request special use approval in accordance with the procedures and requirements outlined in Section XIII of this Ordinance.
- c. The hours of operation for restaurants with liquor licenses shall be as follows and subject to the terms and conditions as follows:
 - 1) The closing time for restaurants with liquor licenses shall be 12:00 Midnight on Sundays, Mondays, Tuesdays, and Wednesdays; 1:00 AM on Thursdays (i.e. Friday at 1:00 AM); and 2:00 AM on Fridays and Saturdays (i.e. Saturday and Sunday at 2:00 AM). Except however, on December 31 of each year the permitted closing time shall be extended to 2:00 AM regardless of the day of the week (i.e. 2:00 AM on January 1).
 - 2) Restaurants with liquor licenses shall provide service of food prepared on-site up to a minimum of one hour before closing.
 - 3) Nothing herein shall supersede the requirements for such uses to obtain special use approval as required by Sections VIII.B.2 and VIII.C.2, herein.
(Amended by Ordinance A-834-03-12).



BURR RIDGE ZONING ORDINANCE

SECTION VIII.B B-1 BUSINESS DISTRICT

B. B-1 RETAIL BUSINESS DISTRICT

The B-1 District is intended to provide a location suitable to accommodate a combination of retail, service, and office uses in a commercial and business district.

1. Permitted Uses

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops with less than 7000 square feet of floor area
- b. Art galleries
- c. Art and school supplies
- d. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- e. Barber shops
- f. Beauty and Health Services
- g. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- h. Book stores and stationery shops
- i. Camera and photographic supply stores
- j. Candy stores
- k. Card and gift shops
- l. Carpet and rug stores (retail only)
- m. China, glassware and household goods stores
- n. Clothing, clothing rental, and clothing accessory stores
- o. Coin and philatelic stores
- p. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales and with less than 7,000 square feet of floor area
- q. Craft, fabric, and sewing stores



- r. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- s. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- t. Florist shops
- u. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- v. Furniture stores with less than 7,000 square feet of floor area
- w. Furrier shops
- x. Hardware stores with less than 7,000 square feet of floor area
- y. Health and Athletic Club with less than 7,000 square feet of floor area (Amended by Ordinance A-834-25-15)
- z. Hobby shops (not including video game parlors or arcades)
- aa. Interior decorating shops
- bb. Jewelry stores, including watch repairs, design and production of custom jewelry
- cc. Leather goods and luggage stores
- dd. Locksmith shops
- ee. Music stores including sheet music, recorded music, and musical instrument sales and repair
- ff. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- gg. Paint and wallpaper stores with less than 7,000 square feet of floor area
- hh. Pharmacies and Drug Stores
- ii. Photography studios
- jj. Picture framing, when conducted for retail sales on the premises only
- kk. Post Offices accessory to a permitted or special use
- ll. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- mm. Studios for teaching of art, martial arts, music, dance, and gymnastics
- nn. Shoe sales and shoe repair stores with less than 7,000 square feet of floor area
- oo. Sporting goods stores with less than 7,000 square feet of floor area
- pp. Tailor and dressmaking shops
- qq. Toy stores with less than 7,000 square feet of floor area
- rr. Video rental stores



- ss. Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of this Ordinance, as appropriate:

- a. Antique shops with more than 7000 square feet of floor area
- b. Banks and Financial Institutions (Amended by Ordinance A-834-06-09)
- c. Banquet Halls
- d. Catering establishments
- e. Child care centers and nursery schools
- f. Clubs or Lodges, private, fraternal, or religious
- g. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales, with more than 7,000 square feet of floor area
- h. Convenience Food Stores
- i. Department Stores
- j. Drive through facilities accessory to a permitted or special use
- k. Dry cleaners with on-site equipment for dry cleaning
- l. Financial Services Offices (Amended by Ordinance A-834-06-09)
- m. Funeral parlors
- n. Furniture stores with more than 7,000 square feet of floor area
- o. Hardware stores with more than 7,000 square feet of floor area
- p. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 (Amended by Ordinance A-834-03-12).
- q. Household appliance and electronics stores including repair and service functions where incidental to retail sales
- r. Insurance Offices (Amended by Ordinance A-834-06-09)
- s. Laundromats
- t. Liquor stores (package goods sales only)
- u. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- v. Office Supply and Service Stores including copying and package delivery services, with more than 7000 square feet of floor area



- w. Orthopedic and Medical Appliance Stores
- x. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- y. Outside sales display accessory to a permitted or special use
- z. Paint and wallpaper stores with more than 7,000 square feet of floor area
- aa. Parking lots and structures where such uses are the principal use on a lot
- bb. Pet shops and pet service stores
- cc. Planned unit developments
- dd. Post offices, Federal Government
- ee. Real Estate Offices (Amended by Ordinance A-834-06-09)
- ff. Restaurants in single tenant buildings or with any one of the following: live entertainment, dancing, or sales of alcoholic beverages (Amended by Ordinance A-834-6-99).
- gg. Shoe sales and shoe repair stores with more than 7,000 square feet of floor area
- hh. Shopping centers (containing stores listed as permitted or special uses in this B-1 District) with less than 100,000 square feet of floor area
- ii. Sporting goods stores with more than 7,000 square feet of floor area
- jj. Theaters, performing arts, indoor only
- kk. Toy stores with more than 7,000 square feet of floor area
- ll. Travel Agencies (Amended by Ordinance A-834-06-09)
- mm. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11).
- nn. Wine boutique with ancillary service of wine and beer by the glass and with service of pre-packaged food for consumption on-site (Amended by Ordinance A-834-01-11)

3. Lot Size Requirements:

	Minimum Lot Area	Minimum Lot Width
a. <u>Permitted Uses</u>	10,000 square feet	80 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	10,000 square feet	80 feet



(2) Convents, monasteries, and theological schools	10 Acres	500 feet
(3) Child care centers and nursery schools	As approved by the Village	
(4) Funeral Parlors	30,000 square feet	150 feet
(5) Parking lots or Structures (as principal use)	10,000 square feet	100 feet
(6) Planned Unit Developments	6 acres	350 feet
(7) Post Offices	10,000 square feet	150 feet
(8) Shopping Centers	3 acres	250 feet

4. Floor Area Ratio:

Not to exceed 0.40.

5. Building Height:

Not to exceed two and one-half stories or 35 feet, whichever is less.

6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided, it must be at least 20 feet in width.
- d. Rear yard: 40 feet
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.



BURR RIDGE ZONING ORDINANCE

SECTION VIII.C B-2 BUSINESS DISTRICT

C. B-2 GENERAL BUSINESS DISTRICT

The intent of the B-2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Many such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

1. Permitted Uses:

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:

- a. Antique shops with less than 7000 square feet of floor area
- b. Art Galleries
- c. Art and School Supply Stores
- d. Automobile parts and accessory stores
- e. Bakeries (retail sales and not more than 70 percent of the floor area may be devoted to the production or processing of bakery goods)
- f. Barber Shops
- g. Beauty and Health Services
- h. Bicycle sales, including rental and repair and service functions where incidental to retail sales or rentals
- i. Book stores and stationery shops
- j. Camera and photographic supply stores
- k. Candy stores
- l. Card and gift shops
- m. Carpet and rug stores (retail only)
- n. Catalogue Sales
- o. Catering Establishments
- p. China, glassware and household goods stores
- q. Clothing, clothing rental, and clothing accessory stores
- r. Coin and philatelic stores



- s. Computer, business machine and office equipment stores, including repair and service functions where incidental to retail sales
- t. Craft, fabric, and sewing stores
- u. Delicatessens (packaged and/or prepared food for consumption on or off premises)
- v. Dry cleaning or laundry receiving establishment (processing to be done off-site)
- w. Florist shops
- x. Food Stores, including grocery stores, supermarkets, meat markets, health food stores, fruit and vegetable stores, bulk food stores, and other similar establishments
- y. Furniture stores
- z. Furrier shops
- aa. Garden, landscape, and patio stores
- bb. Hardware and home improvements stores
- cc. Hobby shops (not including video game parlors or arcades)
- dd. Household appliance stores (including repair and service functions where such activities are incidental to the retail sales function)
- ee. Interior decorating shops
- ff. Jewelry stores, including watch repairs, design and production of custom jewelry
- gg. Leather goods and luggage stores
- hh. Locksmith shops
- ii. Music stores including sheet music, recorded music, and musical instrument sales and repair
- jj. Office supply and service stores including copying and package delivery services with less than 7000 square feet of floor area
- kk. Orthopedic and Medical Appliance Stores
- ll. Paint and wallpaper stores
- mm. Pharmacies and Drug Stores
- nn. Photography studios
- oo. Picture framing, when conducted for retail sales on the premises only
- pp. Playground equipment sales with indoor display
- qq. Post Offices, federal government, freestanding or accessory to a permitted or special use



- rr. Restaurants in multi-tenant buildings (including specialty restaurants such as donut shops and ice cream shops) and without any of the following: live entertainment, dancing, or sales of alcoholic beverages
- ss. Studios for teaching of art, martial arts, music, dance, and gymnastics
- tt. Shoe sales and shoe repair stores
- uu. Sporting goods stores
- vv. Tailor and dressmaking shops
- ww. Toy stores
- xx. Video rental stores
- yy. Accessory uses customarily incidental to the above including but not limited to off-street parking and loading as regulated in Section XI of this Ordinance

2. Special Uses:

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section XIII of this Ordinance, as appropriate:

- a. Amusement establishments, indoor and outdoor, including golf courses and ranges, miniature golf, batting cages, bowling alleys, tennis, racquetball, gymnasiums, swimming pools, and ice skating rinks but excluding arcades
- b. Animal hospitals and veterinary clinics
- c. Antique shops with more than 7000 square feet of floor area
- d. Automobile sales, new or used and including trucks
- e. Automobile gasoline sales stations
- f. Automobile service and repair
- g. Banks and financial institutions (Amended by Ordinance A-834-06-09)
- h. Banquet halls
- i. Building material sales
- j. Car washes, automatic, self-service, or hand wash
- k. Clubs or lodges, private, fraternal, or religious
- l. Colleges, universities, or business vocational schools
- m. Convents, monasteries, and theological schools
- n. Convenience Food Stores
- o. Child Care Centers and Nursery Schools
- p. Department Stores
- q. Drive through facilities accessory to any permitted or special use



- r. Dry cleaners with on-site equipment for dry cleaning
- s. Financial Services Offices (Amended by Ordinance A-834-06-09)
- t. Funeral parlors
- u. Greenhouses, retail sales only
- v. Health and athletic clubs and gymnasiums
- w. Hotels and motels (including dining and meeting rooms)
- x. Hours of operation exceeding 7 A.M. to 10 P.M. for any business listed as a permitted or special use except as otherwise permitted by Section VIII.A.11 herein (Amended by Ordinance A-834-03-12).
- y. Insurance Offices (Amended by Ordinance A-834-06-09)
- z. Kennels
- aa. Laundromats
- bb. Liquor Stores (packaged goods sales only)
- cc. Medical, Dental, and Optical Offices and Clinics (Amended by Ordinance A-834-06-09)
- dd. Office supply and service stores including copying and package delivery services with more than 7000 square feet of floor area
- ee. Outside dining area for a restaurant subject to compliance with Section VIII.A.5 herein
- ff. Outside sales display accessory to a permitted or special use
- gg. Parking lots and structures where such uses are the principal use on a lot
- hh. Pet shops and pet service stores
- ii. Planned unit developments
- jj. Plumbing, heating, air conditioning, and lighting stores (retail sales and service only)
- kk. Real Estate Offices (Amended by Ordinance A-834-06-09)
- ll. Restaurants in single tenant buildings or with any one of the following: live entertainment, dancing, or sales of alcoholic beverages (Amended by Ordinance A-834-6-99)
- mm. Shopping centers (containing stores listed as permitted or special uses in this B-2 District)
- nn. Theaters, indoor movie, not to exceed 4 screens or 800 seats, whichever is less, with no screen having more than 250 seats, and not located within 2500 feet (measured from property line to property line) of another theater facility.” Amended Ordinance A-834-7-97
- oo. Theaters, performing arts, indoor



- pp. Tobacco Shops
- qq. Travel Agencies (Amended by Ordinance A-834-06-09)
- rr. Tutoring center for pre-school, primary, and secondary education (Amended by Ordinance A-834-31-11)
- ss. Multiple buildings on a single lot if said building and lot are under common ownership and that all necessary infrastructure is provided for each of the buildings consistent with the Village's subdivision regulations. (Amended Ordinance A-834-03-08)

3. Lot Size Requirements:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
a. <u>Permitted Uses</u>	20,000 square feet	120 feet
b. <u>Special Uses</u>		
(1) All special uses except those listed below	20,000 square feet	120 feet
(2) Colleges, universities	80 Acres	1,000 feet
(3) Restaurants with drive-thru facilities	40,000 square feet	200 feet
(4) Banks and Financial Institutions with drive-through facilities	1 acre	200 feet
(5) Funeral parlors	30,000 square feet	150 feet
(6) Greenhouse, retail sales only	1 acre	200 feet
(7) Hotels and motels	2 acres	250 feet
(8) Planned Unit Developments	5 acres	250 feet
(9) Shopping Centers	5 acres	250 feet

4. Floor Area Ratio:

Not to exceed 0.40.

5. Maximum Building Height:

Not to exceed 35 feet.



6. Yard Requirements:

- a. Front yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- b. Corner side yard: 40 feet. The area extending from the front building line to within 15 feet of the front property line may be occupied by drives, vehicular parking, sidewalks, landscaping and similar facilities (all of the area between the front property line and the front building line which is not occupied by such facilities, including the 15 feet adjoining the street, shall be landscaped in accordance with Subsection VIII.A.10).
- c. Interior side yard: None required, however, if a yard is provided it must be at least 20 feet in width.
- d. Rear yard: 40 feet.
- e. Transitional rear and side yards: all lots with rear or side lot lines abutting a residential district shall provide a 50 foot yard along such abutting lot line, with landscaping in accordance with Subsection VIII.A.10.



BURR RIDGE ZONING ORDINANCE

SECTION IX OFFICE DISTRICTS

A. PURPOSE

The Office Districts are designed to promote orderly and sound planning for those areas which are appropriate for office uses or a combination of office and hotel uses. These districts are designed to plan for future growth of non-residential uses in a manner which will protect and preserve the integrity and land values of adjoining uses; to provide a location for certain services needed now or in the future by Village residents.

B. GENERAL REQUIREMENTS

1. Building and Site Plan Approval

Areas containing unique natural features, transition areas near to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. Therefore, due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, traffic congestion and safety conditions, and the land-use character of key intersections, the development and construction of all permitted or special uses within the Office Districts shall be subject to building and site plan review and approval as specified in Section XIII of this Ordinance. (amended by Ordinance A-834-01-12)

2. Permitted Uses

No building, structure or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than a use permitted hereinafter in the zoning district in which such building or tract of land shall be located, with the exception of the following:

- a. Uses lawfully established on the effective date of this Ordinance.
- b. Special uses as allowed in each district.

3. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

4. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

5. Landscaping

All required yards, open space, green space or other required open areas shall be landscaped in accordance with landscaping plans approved by the Village, and thereafter shall be maintained in such a manner as to retain at least the intended standards of the initial landscaping plan and to conform to the landscaping requirements set forth in the Village's approval of a specific use.



6. **Signs**

The regulations and standards contained in the Village of Burr Ridge Sign Ordinance, Chapter 55 of the Municipal Code, shall regulate the installation and use of signs within the Office District, except as otherwise approved by the Plan Commission for a planned unit development in the O-2 District. Nothing herein shall be construed to make such sign regulations and standards a part of this Ordinance even though all uses must comply with such standards and regulations.

7. **Off-Street Parking and Loading Requirements**

Off-street parking and loading facilities shall be provided as required in Section XI of this Ordinance, except as otherwise provided herein for uses in the O-2 District.



BURR RIDGE ZONING ORDINANCE

SECTION IV.C OFFICE DISTRICTS

C. O-1 SMALL SCALE OFFICE DISTRICT

The O-1 Small Scale Office District is intended to provide low density office uses in areas that are near to or may influence single-family residential areas. This district is designed to attract the user who desires spacious surroundings, lands endowed with unique natural features or residential settings, as opposed to more intensely developed business centers.

1. Permitted Uses:

- a. Office, professional and business, but excluding medical and dental clinics
- b. Parks and forest preserves
- c. Museums, libraries or performing art centers (under 400 seats)

2. Special Uses:

- a. Medical or dental clinics (but not including facilities devoted primarily to emergency medical services)
- b. Churches, temples and synagogues
- c. Dwelling units accessory to an office use
- d. Private recreational clubs
- e. Financial institutions (no drive-thru facilities)
- f. Schools; private or public
- g. Restaurants; table service only (no drive-thru facilities)
- h. Planned unit developments

3. Lot Size Requirements:

a. <u>Permitted Uses</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
(1) 1 to 1-1/2 story buildings	30,000 sq.ft.	125 ft.
(2) 2 story buildings	37,500 sq.ft.	150 ft.
(3) 2-1/2 story buildings	45,000 sq.ft.	175 ft.



b.	<u>Special Uses</u>	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
	(1) Medical or dental clinics	60,000 sq.ft	200 ft.
	(2) Churches, temples and synagogues	2 acres	200 ft.
	(3) Private recreational clubs	40,000 sq.ft	200 ft.
	(4) Financial institutions	10,000 sq.ft	125 ft.
	(5) Schools; public or private	10 acres	500 ft.
	(6) Table service restaurants	1 acre	150 ft.
	(7) Planned unit developments	5 acres	300 ft.

4. Yard Requirements:

Minimum yard requirements are established for all uses in the O-1 District as set forth below, except as otherwise specifically approved for a planned unit development. In addition, for any building or structure which exceeds a building height of one and one-half stories, an additional setback shall be required as set forth below.

		<u>Minimum Setback</u>	<u>Additional Setback</u>
a.	Front Yard	50 feet	Plus 10 feet
b.	Corner Side Yard	50 feet	Plus 10 feet
c.	Interior Side Yard	25 feet	Plus 5 feet
d.	Rear Yard	40 feet	Plus 10 feet

5. Building Height:

The maximum building height shall be two and one-half stories or 30 feet (including rooftop equipment), whichever is lower.

6. Floor Area Ratio:

The maximum floor area ratio shall be 0.25, except as otherwise approved by the Board of Trustees for planned unit developments.

7. Land Coverage:

The maximum impervious surface coverage on any individual zoning lot in the O-1 District shall be no greater than 66 percent of the total lot area. All other areas on any zoning lot in the O-1 District shall be landscaped and maintained as open space.



BURR RIDGE ZONING ORDINANCE

SECTION IX.D O-2 OFFICE DISTRICT

D. O-2 OFFICE AND HOTEL DISTRICT

The O-2 Office and Hotel District is intended to provide higher density office and hotel uses in locations at or near major intersections of the Village where there are natural features or other transition areas which will offset the impact of the uses included in the District.

1. Permitted Uses:

- a. Banks and financial institutions without drive-thru facilities
- b. Civic buildings
- c. Museums, libraries or performing art centers (under 500 seats) and other cultural institutions, but excluding motion picture theaters)
- d. Offices, professional and business, including medical and dental clinics
- e. Parks, playgrounds and forest preserves

2. Special Uses:

- a. Business Vocational School (Amended by Ordinance A-834-04-15)
- b. Day care centers, if accessory to office use
- c. Dwelling units accessory to an office use
- d. Event Center, Meeting Hall, Banquet Room (Amended by Ordinance A-834-08-16)
- e. General retail as approved by the Board of Trustees within an office or hotel and if providing goods or services primarily to the tenants of the office building or guests of the hotel
- f. Hotels, which may include restaurants, lounges and other accessory uses
- g. Parking decks or garages, accessory to a principal building or structure, and aesthetically compatible with the principal building or structure, both as to architecture and building materials
- h. Planned unit developments
- i. Private recreational clubs, excluding gun clubs and clubs requiring lighting for outdoor activities
- j. Public and private utility facilities
- k. Restaurants, but excluding drive-thru facilities



- l. Senior Housing with independent living units, assisted living units, or skilled care facilities (Amended by Ordinances A-834-04-01, A-834-08-14)
- m. Services accessory to office or hotel uses including, but not limited to, barber shops, beauty shops, laundries, clothes cleaning and laundry pick-up stations, shoe repair, tailor shops, and other similar stores or shops

3. Lot Size Requirements:

a. Permitted Uses

		<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>	<u>Maximum Lot Depth</u>
(1)	All uses	3 Acres	250 feet	2 times lot width
(2)	The maximum lot depth shall not exceed twice the lot's width except as otherwise approved by the Board of Trustees for a specific use.			

b. Special Uses

(1)	All uses except PUDs	3 Acres	250 feet	2 times lot width
(2)	Planned Unit Developments	3 Acres	250 feet	2 times lot width
(2)	The minimum lot width shall be 250 feet except as otherwise approved by the Board of Trustees in a planned unit development.			

4. Yard Requirements:

Minimum yard requirements are established for all uses in the O-2 District as set forth below, except as otherwise specifically approved for a planned unit development. In addition, for any building or structure which exceeds a height of forty (40) feet, an additional setback shall be required as set forth below.

		<u>Minimum Setback</u>	<u>Additional Setback</u>
(a)	Front Yard	40 feet	Plus 2 feet for each 1 foot a building or structure exceeds 40 feet
(b)	Corner Side Yard	40 feet	Plus 2 feet for each 1 foot a building or structure exceeds 40 feet
(c)	Front Yard in County Line Road Corridor	100 feet	



- (1) Front yards located in the County Line Road Corridor (including in planned unit developments) shall contain no impervious surfaces except landscape features, access drives and sidewalks.
- (2) For purposes of this Section, the term "landscape features" shall include only live plantings and any outdoor furniture as approved by the Board of Trustees.

- | | |
|---|---------|
| (d) Interior Side Yard | 40 feet |
| (e) Interior Side Yard adjacent to lake or pond | 10 feet |
| (f) Rear Yard | 40 feet |
| (g) Rear Yard adjacent to lake or pond | 10 feet |

5. Building & Parking Deck Height:

The maximum building height shall be three (3) stories or 40 feet, whichever is lower, except as otherwise approved by the Board of Trustees in a planned unit development. If a parking deck is permitted or required by the Board of Trustees, the height of such parking deck shall not exceed three (3) levels or 20 feet in height, whichever is lower.

- a. Rooftop equipment shall be excluded from the calculation of building height. However, all rooftop equipment shall be completely enclosed, and such enclosure shall be compatible in material and color with the main building.
- b. For purposes of computing the maximum building height, enclosed below grade parking shall be excluded, but enclosed above grade or at grade parking shall be included.
- c. Within a planned unit development, the maximum building height shall not exceed five (5) stories or 65 feet, whichever is lower, for office uses and six (6) stories or 77.5 feet, whichever is lower, for hotel uses.

6. Floor Area Ratio:

The maximum floor area ratio shall be 0.25, except as otherwise approved by the Board of Trustees in a planned unit development.

- a. Any area of a building used for enclosed parking shall not be included in the total building area for purposes of floor area ratio calculations, but all other areas as provided in Section XIV.B of this Ordinance shall be included.
- b. Within a planned unit development, the maximum floor area ratio shall not exceed 0.60 for office buildings and 0.70 for hotel buildings.

7. Building, Surface Parking and Parking Deck Envelopes for Planned Unit Developments

Except as otherwise approved by the Board of Trustees, a building envelope, surface parking envelope or parking deck envelope shall be maintained along the entire perimeter of each lot in a planned unit development.



- a. No building for occupation or the conducting of business shall be built outside of the building envelope.
- b. No surface parking area or parking deck shall be built outside of the applicable surface parking envelope or parking deck envelope.
- c. The width of the building, surface parking or parking deck envelope (as measured inward from the perimeter lot lines of each lot in a planned unit development) shall be as approved by the Board of Trustees.

8. Required Open Space:

Green space unencumbered by buildings, structures, or impervious surfaces (including parking areas and driveways) shall be provided in an amount not less than 20 percent of the total lot area, except as otherwise approved by the Board of Trustees in a planned unit development.

- a. For purposes of this Section, "green space" shall consist of landscaped areas in accordance with the provisions of Section X.B.9 of this Zoning Ordinance, and such green space must be in addition to all required building setbacks and yards, unless otherwise approved by the Board of Trustees in a planned unit development.
- b. For a planned unit development in which parking decks are permitted or required, the minimum green space shall be increased for any lot which is improved with a parking deck in accordance with the following requirements:

**Minimum Required
Green Space**

- (1) Lots which include two (2) levels of parking: 30% of Total Lot Area
- (2) Lots which include three (3) levels of parking: 40% of Total Lot Area

9. Off-Street Parking and Loading Requirements:

Off-street parking and loading facilities shall be provided as required in Section XI of this Ordinance, except as follows:

- a. For office uses, a minimum of one parking space per 250 square feet of gross area is required unless otherwise approved by the Board of Trustees in a planned unit development.
- b. For hotel uses the following requirements shall apply unless otherwise approved by the Board of Trustees in a planned unit development (either by approving some shared parking or by accepting a different standard if the applicant can justify the use of the different standard to the satisfaction of the Board of Trustees):
 - (1) a minimum of one parking space for each lodging room,
 - (2) plus one-half (1/2) parking space for each two (2) employees,
 - (3) plus one parking space for each 250 square feet of retail sales contained in such hotel,
 - (4) and plus 14 parking spaces per 1,000 square feet of restaurant space contained in such hotel.



- c. Parking in decks for permitted uses may be permitted by the Board of Trustees provided such decks shall not exceed three (3) levels or 20 feet in height, whichever is lower.
- d. Setbacks for surface parking spaces and deck parking structures shall be as approved by the Board of Trustees.



BURR RIDGE ZONING ORDINANCE

SECTION X MANUFACTURING DISTRICTS

A. PREAMBLE

The regulations for manufacturing districts and for manufacturing or industrial type-uses established in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, are designed to provide for the establishment of a limited range of industrial and allied activities and to govern their operations in a manner that will not have a deleterious effect on residential and business areas. It is essential that there be adequate provision for the expansion and diversification of industry -- both those existing today and for the attraction of new industry. Adequate well located industrial sites and room for expansion of established plants will encourage industrial growth and expansion of the Village's economic base. It will also open new opportunities for a variety of employment for its labor force. (See Section XIII.F.1 relative to certification required as to compliance with the Performance Standards of these districts).

B. GENERAL REQUIREMENTS

1. Permitted Uses

- a.** Permitted uses of land, buildings, and structures, as hereinafter listed, shall be permitted in the districts indicated under the conditions specified. No building, structure, or lot shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building, structure, or lot shall be located, with the exception of the following:
 - (1)** Uses lawfully established on the effective date of this Ordinance. Uses already lawfully established on the effective date of this Ordinance and rendered nonconforming by the provisions thereof, shall be subject to the regulations of Section XII.
 - (2)** Special uses as allowed in each district.
- b.** Dwelling units are not permitted unless specifically permitted otherwise in this Ordinance.

2. Prohibited Uses

No lot, parcel, or tract of land shall be used, and no building or structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; arsenals; blast furnaces; coke ovens; crematories; creosote treatment or manufacture dumps



and slag piles; fat rendering; drop forges and forge plants; fertilizer manufacture; fireworks or explosive manufacture or storage; dumping, reduction or other processing of garbage; pulp or paper mills; dead animals, offal or refuse, except as customarily incidental to a permitted principal use; foundries; ore reduction; petroleum processing or refining; pyroxylin manufacture; manufacturing natural or synthetic rubber; caoutchouc or gutta percha manufacture or treatment; meat packing plants; rock excavation and crushing; salt works; sauerkraut manufacture; soap manufacture; smelters; stock yard or slaughter of animals or fowl; processing of fish oil, tallow or grease; lard manufacture or treatment; tanning curing, or storage of rawhides or skins; tar distillation or manufacture; cement, concrete or asphaltic concrete mixing plants; junk shop; junk yards or automobile wrecking yards.

3. Bulk Requirements

Bulk requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development. In addition, no building or structure shall be converted so as to conflict with, or further conflict with, the bulk requirements of the district in which such building or structure is located.

4. Yard Requirements

Yard requirements shall be as specified under each zoning district as described herein, except as otherwise specifically approved for a planned unit development.

5. Operation Within Enclosed Buildings

Except as allowed as per Sections X.B.6, X.B.7, and X.F.2.f below, all activities including all types of manufacturing, storage, merchandise display, business operations, service, or maintenance, shall be conducted within completely enclosed buildings.

6. Utilities and Mechanical Equipment

- a. All utilities shall be placed underground.
- b. Rooftop equipment, exclusive of flues, exhaust stacks and vents, shall be completely screened from view from any adjacent private or public street or from any point along the exterior property line designated as an interior side, corner side, or front yard. Screening shall be of permanent construction material equal to or greater in height than the object to be screened and architecturally compatible with the principal building.
- c. Ground-level mechanical equipment shall be completely screened from view from any adjacent private or public street or from any point along the exterior property line designated as the front, interior side, or corner side



yard. The screen shall be of permanent construction material architecturally compatible with the principal building or be screened by the use of landscape material that affords a minimum of 80 percent opacity during the vegetation's dormant season. Minimum height of this screening shall be at least one foot (1') higher than the object being screened.

- d. Screening methods and materials to be utilized for both rooftop and ground-level equipment shall be specified on the building permit application required for each lot.

7. Parking and Loading

- a. All drives, loading dock and berth aprons, parking areas, outside display or storage yards, and walkways throughout the site shall be paved with asphalt or concrete material.
- b. Loading docks and berths fronting on any public or private street or opening onto a yard which is adjacent to a residential district shall be within completely enclosed buildings. All loading docks and berths on lots which contain industrial or warehousing uses or activities in the RA District shall be within completely enclosed buildings.
- c. Off-street parking and loading shall be provided in accordance with the regulations established in Section XI of this Ordinance.
- d. Overnight parking of trucks outside of an enclosed building shall be prohibited except as follows:
 - 1. A maximum of two delivery trucks may be parked overnight on a lot or parcel.
 - 2. Delivery trucks allowed as per this subsection shall not exceed 24,000 pounds.
 - 3. Said delivery trucks shall be parked behind the principal building unless the existing configuration of the property precludes parking of trucks in the rear yard in which case delivery trucks shall be parked in a side yard behind the front wall of the principal building.

8. Compliance with Performance Standards

Any use established in any zoning district which involves the manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, shall be operated in such a manner as to comply with applicable performance standards



governing noise, vibration, air pollution, toxic substances, water pollution, fire and explosive hazards and glare established herein in general or specifically for the district in which such use shall be located; and no use, already established on August 1, 1995, or whenever this ordinance becomes applicable to such use due to annexation of the property on which the use exists, whichever is later, shall be so altered or modified as to conflict with such applicable performance standards for the district in which such use is located.

9. Land Adjoining County Line Road

Any land which adjoins or abuts County Line Road shall have a minimum totally green space buffer of at least 200 feet from the nearest right-of-way boundary line of County Line Road. Also, any existing lakes, ponds, streams or creeks visible from County Line Road shall be preserved and maintained.

10. Exterior Building Facades

All exterior building facades in the Manufacturing Districts shall be of high quality materials that may include but are not limited to brick, natural stone, precast stone, architectural pre-cast panels or glass. The use of plastic siding, vinyl siding, or aluminum siding and the use of engineered stucco systems, including but not limited to those commonly known as “Dryvit” or exterior insulation and finish systems (EIFS) are discouraged as exterior building façade materials for all buildings in the Manufacturing Districts. Traditional cement based stucco may be used as an exterior building material subject to the following restrictions:

1. The majority of a building’s façade should be brick, natural stone, pre-cast stone, architectural pre-cast panels, or glass.
2. The first 8 feet from the top of the building’s foundation should be brick, natural stone, pre-cast stone, or architectural pre-cast panels with the intent of creating the appearance of a strong building foundation.
3. Stucco shall be installed as per the manufacturer’s specifications.
(paragraph 10 added by Ordinance A-834-01-12).

C. PERFORMANCE STANDARDS

Any use established in the manufacturing districts (or which is otherwise elsewhere in this Ordinance required to comply with these performance standards) after August 1, 1995, or any use in any district (including but not limited to legal nonconforming uses, regardless of when such uses were established) involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping or testing of materials, goods, or products, shall be so operated as to comply with the performance standards as set forth in Section IV.W of this Ordinance. (Amended by Ordinance A-834-05-10)



BURR RIDGE ZONING ORDINANCE
SECTION X.D
RA RESEARCH ASSEMBLY DISTRICT

D. RA RESEARCH ASSEMBLY DISTRICT

The RA Research-Assembly District is established to provide an environment suitable for Research-Assembly activities that require a pleasant and nuisance-free environment and will be compatible with adjacent residential and business uses.

1. Permitted Uses:

- a. Offices; business, professional, governmental or institutional; such offices used primarily for these purposes may also include accessory fabricating, processing, assembly, testing, storing, repairing, or servicing operations providing that all of such accessory operations used in conjunction with office and administrative businesses shall not occupy more than 30 percent of the total floor area developed on the lot.
- b. Medical and dental laboratories.
- c. Research and Testing laboratories.
- d. Schools; commercial or trade schools which are conducted entirely within enclosed buildings.
- e. 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:

- a. Heliports.
- b. Import and export establishment; wholesale sales only.
- c. Planned unit developments.
- d. Public utility, transportation and governmental service uses.
- e. School for dog trainers.



- f. Training centers, engineering and sales.
- g. Wholesaling establishments.
- h. Yoga training studio.
- i. Indoor Sales of Luxury and Exotic Automobiles (Added by Ordinance A-834-19-11).

3. Lot Size Requirements:

	Minimum Lot Area	Minimum Lot Width
a. Permitted Uses:	3 Acres	200 feet
b. Special Uses:		
(1) All special uses except those listed herein	3 Acres	200 feet
(2) Planned Unit Developments	18 Acres	As approved by the Village
(3) Public Utility, Transportation and Governmental Service Uses	As approved by the Village	

4. Floor Area Ratio:

Not to exceed 0.4.

5. Building Height:

Not more than 35 feet; except, in a Planned Unit Development (PUD), building height shall be governed only by the application of the floor area ratio regulation, provided that a building or structure over 35 feet in height shall be not nearer to an exterior boundary of the PUD than two times the building height.

6. Yard Requirements:

a. Permitted Uses:		
(1) Front Yard:		60 feet
(2) Interior Side Yard		40 feet
(3) Corner Side Yard		60 feet
(4) Rear Yard		40 feet



- (5) Yards Adjacent to Residential Districts 50 feet or 150 feet as per Section X.C.9.b

b. Special Uses

Yards shall be the same as for permitted uses, except in planned unit developments, yards as regulated above shall be required at the exterior boundaries of the planned unit development. Yards at other locations shall be as specifically approved. If such yards are not provided for by specific approval, they shall be as provided for in this district.



BURR RIDGE ZONING ORDINANCE

SECTION X.E LI LIGHT INDUSTRIAL DISTRICT

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:

- a. Offices; business, professional, governmental or institutional.
- b. Film production and recording studios.
- c. Radio and television broadcasting studios.
- d. Research and Testing laboratories.
- e. Schools; commercial or trade schools which are conducted entirely within enclosed buildings.
- f. 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).
- g. 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:

- a. Automobile Sales and Service (Amended by A-834-22-13).
- b. Heliports.
- c. Import and export establishment; wholesale sales only.
- d. Planned unit developments.



- e. Public utility, transportation and governmental service uses.
- f. Training centers, engineering and sales.
- g. Wholesaling establishments.
- h. Sales and servicing of road paving equipment, provided all servicing or repair of equipment shall be done within completely enclosed buildings.
- i. Retail banking facility located in an operations center of a bank.
- j. Drive-through banking facility used in conjunction with the operations center of a bank.
- k. Medical or dental clinics (but not including facilities devoted primarily to emergency medical services) (Amended by A-834-16-07).
- l. Retail uses accessory to either a permitted use or a special use in this district (Amended by A-834-16-07).

3. Lot Size Requirements:

		Minimum Lot Area	Minimum Lot Width
a. Permitted Uses:		3 Acres	200 feet
b. Special Uses:			
	(1) All special uses except those listed herein	3 Acres	200 feet
	(2) Planned Unit Developments	18 Acres	As approved by the Village
	(3) Public Utility, Transportation and Governmental Service Uses	As approved by the Village	

4. Floor Area Ratio:

Not to exceed 0.4.

5. Building Height:

Not more than 35 feet; except, in a Planned Unit Development (PUD), building height shall be governed only by the application of the floor area ratio regulation, provided that a building or structure over 35 feet in height shall be not nearer to an exterior boundary of the PUD than two times the building height.



6. Yard Requirements:

a. Permitted Uses:

- | | | |
|-----|---|--|
| (1) | Front Yard: | 60 feet |
| (2) | Interior Side Yard | 40 feet |
| (3) | Corner Side Yard | 60 feet |
| (4) | Rear Yard | 40 feet |
| (5) | Yards Adjacent to Residential Districts | 50 feet or 150 feet as per Section X.C.9.b |

b. Special Uses

Yards shall be the same as for permitted uses, except in planned unit developments, yards as regulated above shall be required at the exterior boundaries of the planned unit development. Yards at other locations shall be as specifically approved. If such yards are not provided for by specific approval, they shall be as provided for in this district.



BURR RIDGE ZONING ORDINANCE
SECTION X.F
GI GENERAL INDUSTRIAL DISTRICT

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:

- a. 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.
- b. Data processing service centers.
- c. Film production and recording studios.
- d. Greenhouses, including retail and wholesale sales.
- e. 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)
- f. Newspaper printing offices.
- g. Offices; business, professional, governmental or institutional.
- h. Pilot plants for experimentation and development of new and existing processes and products.
- i. Printing and publishing establishments.
- j. Radio and television production studios.
- k. Research laboratories for conducting experiments in scientific fields.
- l. Schools, commercial or trade.



- m. Training center, engineering or sales.
- n. Warehouses.
- o. Wholesale establishments.
- p. 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:

- a. Automobile and truck and equipment sales, rental and service. (Amended by Ordinance A-834-9-01)
- b. Building material sales and storage (dimension lumber, millwork, cabinets and other building materials(s) -- including milling, planning, jointing or manufacturing of millwork.
- c. Contractor's office and shops.
- d. 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.
- e. 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)
- f. 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)
- g. Kennel
- h. Martial arts training schools. (Added by Ordinance A-834-01-04)
- i. 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)
- j. Medical or dental clinics but not including facilities devoted primarily to emergency medical services. (Added by Ordinance A-834-28-11)



- k. 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.
- l. Parking lots and storage garages.
- m. 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.
- n. 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.
- o. Retail uses accessory to either a permitted use or a special use in this district.
- p. 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.
- q. 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:
 - (a) adult arcade;
 - (b) adult bookstore, adult novelty store or adult video store;
 - (c) adult cabaret;
 - (d) adult motel;
 - (e) adult motion picture theater;
 - (f) adult theater;
 - (g) massage parlor;
 - (h) sexual encounter establishment;
 - (i) escort agency; or
 - (j) 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)
- r. Schools, workshops, training centers for developmentally disabled persons. (Added in August 2002)
 - s. Banks and financial institutions (Added August 22, 2005)



t. Driving through facilities accessory to any permitted or special use. (Added August 22, 2005)

u. School or training course for dog trainers. (Added in September 12, 2005)

3. Lot Size Requirements:

	Minimum Lot Area	Minimum Lot Width
a. Permitted Uses:	2 Acres	150 feet
b. Special Uses:		
(1) All uses except PUDs	2 Acres	150 feet
(2) Planned Unit Developments	18 Acres	As per PUD

4. Floor Area Ratio:

Not to exceed 0.4.

5. Building Height:

Not more than 35 feet; except, in a planned unit development, building height shall be governed only by the application of the floor area ratio regulation, provided that a building or structure over 35 feet in height shall be not nearer to an exterior boundary of the planned unit development than two times the building height.

6. Yard Requirements:

a. Permitted Uses:		
(1) Front Yard:		40 feet
(2) Interior Side Yard		20 feet
(3) Corner Side Yard		40 feet
(4) Rear Yard		40 feet
(5) Yards Adjacent to Residential Districts		50 feet or 150 feet as per Section X.C.9.b

b. Special Uses

Yards shall be the same as for permitted uses, except in planned unit developments, yards as regulated above shall be required at the exterior boundaries of the planned unit development. Yards at other locations shall be a



specifically approved. If such yards are not provided for by specific approval, they shall be as provided for in this district.”



BURR RIDGE ZONING ORDINANCE

SECTION XI OFF-STREET PARKING AND OFF-STREET LOADING

A. SCOPE OF REGULATIONS

The off-street parking and off-street loading provisions of this Ordinance shall apply as follows:

1. Accessory off-street parking and off-street loading facilities shall be provided as required by the regulations of this Section (unless specifically provided otherwise in this Ordinance) for all buildings and structures erected and all uses of land established in each district after the effective date of this Ordinance. However, where a building permit has been issued prior to the effective date of this Ordinance, and provided that construction is begun within six months of such effective date and diligently prosecuted to completion, parking and loading facilities in the amounts required for the issuance of said building permit may be provided in lieu of any different amounts required by this Ordinance.
2. When the intensity of use of any building, structure, lot, or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement as specified herein, additional parking and/or loading facilities shall be provided in the amount required for the increased intensity of use in accordance with the applicable standards set forth herein.
3. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this Ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this Ordinance.

B. PERMISSIVE PARKING AND LOADING FACILITIES

Nothing in this Ordinance shall be deemed to prevent the voluntary establishment of off-street parking and loading facilities to serve any existing use of land or buildings, provided that there is adherence to all regulations herein governing the location, design, and operation of such facilities.

C. OFF-STREET PARKING

1. Existing Parking Facilities

Accessory off-street parking facilities in existence on the effective date of this Ordinance and located on the same lot as the building or use served shall not hereafter be reduced below the requirements for a similar new building or use under the provisions of this Ordinance.

2. Control of Off-Street Parking Facilities

In cases where parking facilities are permitted on land other than the lot on which the building or use served is located, such facilities shall be on a lot in the possession of the same title holder of record as the lot occupied by the building or use for which



the parking facilities are accessory. A covenant running with the land must be recorded (in the office of the Recorder of Deeds of DuPage or Cook County, Illinois, or the Cook County Registrar of Titles, whichever is applicable) on the lot upon which the accessory off-street parking is located, which prohibits any other use on that lot, except as may be approved by the Village, and a certified copy of the recorded covenant must be deposited with the Community Development Director. The covenant shall not be released until such time as either one of the following conditions occur:

- a. The building or structure on the lot containing the principal use is removed and the principal use terminated; or
- b. Another lot of the required size within the required distance is properly developed and used for the required accessory off-street parking in place of and in lieu of the initial lot used for accessory off-street parking, with the same requirements, covenants and conditions attaching to such substitute accessory use lot as required for approval of such initial use lot.

3. Use

Accessory off-street parking facilities, as accessory to uses listed herein, shall be solely for the parking of automobiles of patrons, occupants, or employees. Except as otherwise permitted in the regulations for a specific district, truck parking and storage of any vehicles is prohibited unless within a completely enclosed building or structure. When bus transportation is provided for patrons, occupants or employees of a specific establishment, additional open or enclosed off-street parking spaces for each bus to be parked on the premises shall be provided in accordance with applicable regulations for such buses herein provided for.

4. Computation

When determination of the number of off-street parking spaces required by this Ordinance results in a requirement of a fractional space, any fraction of one-half or greater shall be counted as requiring one additional parking space.

5. Collective Provision (Shared Parking)

Off-street parking facilities for separate uses (which are located on either the same or different lots) may be provided in a shared parking area provided that the total number of parking spaces is equal to the sum of the parking spaces required for each use sharing the parking area, and provided that all regulations governing location of accessory parking spaces, in relation to the use served, are adhered to.

6. Dimensions

Off-street parking areas shall conform to minimum dimensions for parking space size and width and width of access aisles as set forth in Appendix V. Enclosed parking spaces shall have a vertical clearance of at least seven feet.

7. Access and Driveways

Each required off-street parking space shall open directly upon an aisle or driveway of a width and design in accordance with standards herein set forth in Appendix VI and in Section IV relating to distance from lot lines. All off-street parking facilities shall be provided with appropriate means of vehicular access to a street or alley with the location and design of the intersection of the parking area access driveway and the street or alley being in accordance with regulations herein set forth in Appendix VI.



8. In Yards

- a. Off-street parking spaces, open to the sky, may be located in required interior side yards and rear yards subject to compliance with the landscaping and setback requirements contained in Section XI.C.11, herein.
- b. In Business Districts, parking in the front and corner side yards shall be allowed in accordance with the specific parking regulations set forth in the Business District regulations.
- c. In no event shall parking be permitted in the Manufacturing, Office, and Transitional Districts anywhere in front of the building, whether in the front yard, the interior side yard, side yard adjoining the street or any buildable area in front of the building, nor anywhere in the side yard adjoining a street.

9. Design and Maintenance

a. Open and Enclosed Parking Spaces

- (1) Accessory off-street parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building or structure.
- (2) Accessory off-street parking spaces that may be permitted in a location other than on the same lot occupied by the use shall be open to the sky except when an off-site storage garage or parking building or structure is approved for such required parking.
- (3) Required open parking spaces in residential areas must be located in special parking bays or in parking areas serving two (2) or more dwelling units. Spaces provided merely in the street right-of-way shall not be counted in determining the number of parking spaces being provided.

b. Surfacing

- (1) All open off-street parking areas and driveways for all uses except single-family residences shall be improved with an all-weather hard surface pavement including, at a minimum, a two inch (2") bituminous concrete surface course, with a twelve inch (12") minimum thickness aggregate base course, and six inch (6") high perimeter concrete curbing (Type B or Type B6:12) installed in accordance with Illinois Department of Transportation specifications.
- (2) All parking and driving areas for attached and detached single-family residences shall be improved with an all-weather hard surface (perimeter curbing shall not be required). (Amended by Ordinance A-834-9-01)

c. Lighting

- (1) Illumination of an off-street parking area shall be arranged so as not to reflect direct rays of light or glare into adjacent residential districts and streets.
- (2) Intensity of illumination of parking areas shall not be less or more than the following standards: Except as otherwise specifically provided elsewhere in this Ordinance, parking lot lights must be no more than 20 feet high and be limited by the following factors: an



average lighting level of 1.0 foot candle with a minimum of 0.75 foot candle; a uniformity ratio of not greater than 4-to-1, and lighting distribution shall be provided by cut-off type fixtures. All such parking lot lighting shall be extinguished or reduced in intensity to not more than an average of 0.5 foot candles no later than 30 minutes after the close of business.

- (3) Amortization: Lighting for accessory off-street parking areas regulated by this Section XI.C.9.c in existence on the effective date of this Ordinance and which is not in compliance with this Section XI.C.9.c, shall be regarded as non-conforming parking lot lighting. Such non-conforming parking lot lighting may be continued for a period of one (1) year from the effective date of this Ordinance if properly repaired and maintained as provided herein and as provided by other ordinances of the Village of Burr Ridge.

At the end of this one (1) year period, all such non-conforming parking lot lighting shall thereafter comply with the requirements of Section XI.C.9.c.

d. **Repair and Service**

No motor vehicle repair work of any kind shall be permitted in off-street parking areas. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities.

10. Location

After the effective date of this Ordinance, required accessory off-street parking spaces shall be located on the same lot as the principal building or use served, except upon approval of a special use as per Section XIII.K, herein, authorizing all or a part of the required off-street parking spaces to be located on a lot that does not contain the building or use served.

Unless such permitted off-site parking spaces are shared with and located on the same property as another use, they shall be located in a district where parking lots or storage garages are allowable principal uses. However, off-site parking areas shall comply with the regulations of Section XI.C.2 of this Ordinance for required accessory parking spaces not located on the same lot as the building or use served.

11. Landscaping

All portions of a lot not parked or built upon or used for an accessory use shall be maintained in landscaping. In addition to and exclusive of driveways and aisles, open areas shall be provided within and around the perimeter of parking and loading areas to accommodate trees, shrubs and other landscape materials. The dimensions of required landscape areas shall be measured from the back of curb of the parking area. Required landscape areas shall be provided as required herein.

a. **Perimeter Landscape Areas**

- (1) **Residential Uses** - A landscape area at least 8 feet wide shall be provided along each side of the parking area of a lot used for multiple-family residences.
- (2) **Non-residential uses:** Parking lot setbacks and landscape areas shall be provided along each side of a parking area in compliance with the following:



- (a) Adjacent to a residential use or property zoned for residential use, the landscape area shall be at least 30 feet in width.
 - (b) The width of landscape areas between parking areas and the front or corner side lot line shall be at least 15 feet.
 - (c) The setback from all other lot lines and the width of all other landscape areas shall be at least 8 feet.
- (3) **Landscape Plantings** - Landscape plantings shall be located within landscaped areas as follows (except as altered by action of the Board after receiving the recommendation of the Plan Commission):
- (a) **Residential Uses:**
 - (i) No screening shall be required for parking areas containing 4 cars or less.
 - (ii) Parking areas containing more than 4 cars shall be planted with a continuous row of densely branched deciduous or evergreen shrubs or trees. The size of this plant material at the time of installation should be a minimum of 3 1/2 feet in height for any shrubs and for any trees a trunk diameter of at least 3 inches measured 2 feet above the ground.
 - (b) **Non-Residential Areas:** The following landscaping shall be provided for all parking areas:
 - (i) **In Front of the Principal Building or Structure:** Permanent screening at least four (4) feet high shall be constructed and maintained in front yard areas adjacent to permitted side yard parking and/or adjacent to permitted front and corner side yard parking in the Business Districts. This screening may consist of a planted earth berm, densely planted evergreen shrubs or trees or a combination of both, with such shrubs or trees to be at least the same size as set forth above in 11.a.3.(a).(ii) hereof.
 - (ii) **Side and Rear Yards:** Permanent peripheral screening at least five (5) feet high shall be constructed in side and rear yards adjacent to parking areas. This screening may consist of a planted earth berm, densely planted evergreen shrubs or trees, or a combination of both, with such shrubs or trees to be at least the same size as set forth above in 11.a.3.(a).(ii) hereof.
- b. **Parking Lot Landscape Islands:** Every parking lot in excess of fifteen spaces shall contain planting islands for shade trees in compliance with the following standards:
- (1) There shall be one island for every 15 parking spaces and one shade tree for each island.
 - (2) Each parking lot landscape island shall be a minimum of 9 feet wide and 18 feet in length.



- (3) Required shade trees shall have a minimum 3 inch diameter measured two feet above ground level.
- (4) Parking lot landscape islands generally shall be located at the ends of each row of parking (one double island to be located at the end of a double row of parking) and every 15 parking spaces within a row. Spacing and location of parking lot landscape islands shall be carried out as shown on Appendix VII.

c. **Maintenance of Landscape Areas and Screening:** All such landscaped areas and screening shall, once installed, be maintained in such manner as to retain at least the intended standards of the initial landscaping and to conform to the landscaping requirements of the Village.

12. Employee Parking

Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing on the premises, or both, at any one time.

13. Required Spaces

There shall be provided for each building and use hereafter erected, structurally altered or enlarged, at least the minimum number of accessory off-street parking spaces in accordance with the following requirements (in multi-use and/or multi-user buildings, the number of spaces shall be computed separately on the basis of each particular use):

a. Dwelling and Lodging Uses:	Required Parking:
(1) Hotels and Motels	One space for each lodging room or dwelling unit plus 1/2 space for each employee. Additional spaces shall be provided for restaurants, retail uses, and assembly rooms as set forth in this Section.
(2) Multiple-Family Dwellings (including semi-detached and attached dwelling units)	In addition to parking spaces located either underground or in detached or attached garages, there shall be at least two parking spaces for each dwelling unit.
(3) Single-Family Dwellings	In addition to parking spaces located either underground or in detached or attached garages, there shall be at least two but not more than four parking spaces for each detached dwelling and at least two parking spaces for a single-family attached dwelling.
(4) Two-Family Dwellings	In addition to parking spaces located either underground or in detached or attached garages, there shall be at least two parking spaces for each dwelling unit.



<p>b. Public and Semi-Public Uses:</p>	<p>Required Parking:</p>
<p>(1) Free-standing Auditoriums</p>	<p>One parking space for each 3.2 seats, or for each 90 lineal inches of seating space in the main auditorium or assembly hall, whichever results in the greater number of parking spaces.</p>
<p>(2) Churches, Chapels, Temples, or Synagogues</p>	<p>One parking space for each four seats or for each 90 lineal inches of seating space in the main sanctuary or meeting area, whichever results in the greater number of parking spaces; provided, however, the number of required spaces may be reduced by not more than 50 percent if the place of worship is located within 500 feet of any public or commercial parking lot where sufficient spaces are available by permission of the owner(s) without charge during the time of services to made up the additional spaces required.</p>
<p>(3) Colleges, Junior Colleges and Universities</p>	<p>For each classroom and administration building, one parking space for each two employees, plus one parking space for each three students based upon the maximum number of students for which a building is designed to accommodate.</p>
<p>(4) Clubs and Lodges, Private</p>	<p>One parking space for each lodging room and one parking space for each four seats in the main meeting room, in accordance with designed seating capacity.</p>
<p>(5) Gymnasiums, Stadiums, Grandstands, Meeting Halls, Convention Halls, and Exhibition Halls</p>	<p>One parking space for each 3.2 seats or for each 90 lineal inches of seating space, whichever results in the greater number of parking spaces.</p>



<p>(6) Hospitals</p>	<p>1 parking space per bed for 100 beds or lesser size; 1.1 parking spaces per bed for 101 to 300 beds; 1.2 parking spaces per bed for 301 to 500 beds; and 1.3 parking spaces per bed for over 500 beds.</p>
<p>(7) Libraries, Museums, Art Galleries, and Aquariums</p>	<p>One parking space for each 500 square feet of floor area.</p>
<p>(8) Sanitariums, Health Resorts, Institutions for care of Aged and for Children or Nursing and Convalescent Homes</p>	<p>One parking space for each three beds, plus one parking space for each two employees.</p>
<p>(9) Schools, Boarding or Non-Boarding</p>	<p>Parking spaces that are provided for an auditorium, gymnasium, stadium, or grandstand that is accessory to a school may be used to satisfy all or a part of the following off-street parking requirements, provided the Plan Commission approves the location of the parking spaces with respect to the distance from the school building to be served:</p> <p>(a) Commercial or trade, music, dance or business: One parking space for each two employees, plus one space for each three students, based on the maximum number of students for which the building is designed to accommodate.</p> <p>(b) High School: One parking space per six students based on maximum design capacity of the school, or one parking space per four seats or 90 inches of seating space in the main auditorium or gymnasium, whichever is greatest.</p> <p>(c) Nursery, Elementary, or Junior High: One parking space for each faculty member and each other full-time employee.</p>



<p>c. Recreational Uses - Commercial or Non-Commercial</p>	<p>Required Parking:</p>
<p>(1) Bowling Alleys/ Billiard Hall</p>	<p>Four parking spaces per bowling lane plus two parking spaces per billiard table plus one parking space per five spectator seats. Additional parking spaces shall be required for accessory uses such as restaurants, bars, etc. as provided herein.</p>
<p>(2) Health Salons, Health Clubs, Swimming Pools, Skating Rinks, and Dance Halls -- Commercial</p>	<p>One parking space for each three persons, based upon the maximum number of persons that can be accommodated at the same time in accordance with the design capacity of the building, and one parking space for each two employees, or one space per 300 square feet of gross floor area, whichever is greater.</p>
<p>(3) Parks, Golf Courses, Outdoor Recreation and Indoor Recreation Uses</p>	<p>One parking space for each three park users, based on maximum utilization, unless otherwise specified. Three spaces per golf hole, driving range tee or tennis/racquetball court, plus one space per employee on the largest shift. In addition, additional spaces as specified herein shall be required for any accessory uses such as eating establishments.</p>
<p>d. Business, Commercial, and Industrial Uses:</p>	<p>Required Parking:</p>
<p>(1) Car Wash</p>	<p>One parking space for each employee, plus four spaces per bay or stall, for self-service establishments. One parking space for each employee, plus sufficient area for 15 stacking spaces per bay or stall for cars awaiting washing and 5 reservoir spaces for cars after washing, for automated establishments.</p>



<p>(2) Automobile Service Stations</p>	<p>One parking space for each gasoline pump, plus two for each service stall. Additional parking spaces shall be required for accessory retail uses such as a mini-mart with one parking space for each 250 square feet of floor area.</p>
<p>(3) Banks</p>	<p>(a) Banks without drive-through facilities shall provide one parking space for each 300 square feet of floor area.</p> <p>(b) Banks with drive-through facilities shall provide one parking space for each 300 square feet of floor area. In addition, for each drive-up window there shall be sufficient stacking room for three cars, and a bypass lane shall be provided. (Amended by Ordinance A-834-15-13).</p>
<p>(4) Beauty Parlors/ Barber Shops</p>	<p>One parking space for each 200 square feet of floor area.</p>
<p>(5) Retail Goods and/or Service Businesses - Those Not Specifically Identified Herein</p>	<p>One parking space for each 250 square feet of floor area.</p>
<p>(6) Professional Office Uses – Those Not Specifically Identified Herein</p>	<p>One parking space per 250 square feet of floor area. (Amended by Ordinance A-834-9-01)</p>
<p>(7) Restaurants - Not Including Drive-In Establishments</p>	<p>One parking space for each 100 square feet of floor area plus one space per employees.</p>



<p>(8) Restaurants - Drive-In</p>	<p>Restaurants with drive-through facilities shall provide 14 parking spaces for each 1,000 square feet of floor area plus 11 stacking spaces for the drive-in window (per window) with a minimum of five such spaces designated for the ordering station. The spaces shall be so designed so as not to impede pedestrian and vehicular circulation on the site or on any adjacent sidewalk or street.</p>
<p>(9) Furniture and Appliance Stores, Motor Vehicle Sales Establishments, and Establishments for Repair of Household Equipment or Furniture</p>	<p>One parking space for each 400 square feet of floor area.</p>
<p>(10) Medical and Dental Clinics or Offices of Physicians</p>	<p>Six parking spaces for each doctor or dentist.</p>
<p>(11) Manufacturing, Fabricating, Processing, Storing, Cleaning, Testing, Assembling, Repairing, or Servicing establishments</p>	<p>Two parking spaces for each three employees based upon maximum number of employees that can be accommodated in accordance with Building Code regulations.</p>
<p>(12) Movie Theaters Amended Ordinance A-834-7-97</p>	<p>One parking space for each 2 1/2 seats plus one parking space for each employee.</p>
<p>(13) Undertaking Establishments and Funeral Parlors</p>	<p>One parking space for each 100 square feet of floor area.</p>



(14) Warehouse, Storage, Wholesale and Mail Order Establishments	Four parking spaces plus one parking space for each 1,500 square feet of floor space over 4,500 square feet or when the number of employees is specifically indicated, two parking spaces for each three employees employed on the premises.
(15) Public Utility and Public Service Uses	Two parking spaces for each three employees.
(16) Other Uses	Parking spaces for other permitted or special uses not listed above shall be provided in accordance with requirements approved by the Plan Commission and authorized by the Board of Trustees.



14. Required Accessible Spaces

There shall be provided for each building, structure, and use hereafter erected, structurally altered or enlarged, at least the minimum number of accessible parking spaces in accordance with the following requirements:

Total Off-Street Parking Spaces Required	Minimum Number of Accessible Parking Spaces Required
1 to 20	1
21 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total number
Over 1, 000	20, plus 1 for each 100 over 1,000
Each parking space shall be at least sixteen feet wide, including an eight foot wide access aisle, and adjacent parking spaces shall not share a common access aisle. All access aisles shall be diagonally striped.	

D. OFF-STREET LOADING

There shall be provided off-street loading berths (not merely service entrances or doors) not less than the minimum requirements specified in this Section in connection with any building or structure which is to be erected or substantially altered and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles. Off-street loading berths shall not be used for parking and/or storage of trucks or any vehicles but shall be used solely for loading and unloading of goods and materials.

1. Location

- a. Accessory off-street loading berths shall be on the same lot as the principal use and they shall not be located thereon in a front yard or side yard adjoining a street.



- b. Open on-street loading berths may not be located in any yard adjoining a residential district.
- c. Open off-street loading berths located in an interior side yard or rear yard shall be not less than 30 feet from an adjoining right-of-way line of an interstate route and such off-street loading berths shall be effectively screened therefrom by a wall or fence, of an approved architectural design, not less than six feet or more than eight feet in height, or a densely planted tree or shrub hedge as approved by the Village and maintained to not less than six feet in height.
- d. All loading berths in yards adjoining a residential district must be enclosed. Doorways for vehicular ingress and egress of enclosed off-street loading berths may be in a building wall that faces a lot line adjoining a street.
- e. Off-street loading and unloading activities and parking spaces for trucks in buildings with enclosed loading berths shall be entirely within the building.

2. Size

Unless otherwise specified in this Ordinance, a required off-street loading berth shall be at least twelve feet in width by at least 50 feet in length, exclusive of aisle and maneuvering space, and shall have vertical clearance of at least 14 feet.

3. Access

Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movement. Access drives and intersection of driveways with streets shall be in accordance with regulations herein set forth in Appendix VI.

4. Surfacing

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

5. Repair and Service

No storage of any kind nor motor vehicle repair work or service of any kind shall be permitted within any required loading berth.



6. Space Allowed

Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

7. Off-Street Loading Space Requirements

There shall be provided for each building and use hereafter erected, structurally altered or enlarged, at least the minimum number of off-street loading facilities in accordance with the following requirements:

Residential Uses:		Required Loading:
a.	Single-Family Dwellings	None Required
b.	Multiple-Family Dwellings in buildings with 10,000 to 100,000 square feet of gross floor area	One Loading Berth
c.	Multiple-Family Dwellings in buildings with more than 100,000 square feet of gross floor area	One Loading Berth; plus one additional loading berth for each 100,000 square feet, or fraction thereof, over the first 100,000 square feet of gross floor area
Commercial Uses:		Required Loading:
d.	Hotels; exceeding 100,000 square feet of gross floor area	One Loading Berth
e.	Retail Stores or Stores in a Single Building; with 10,000 to 60,000 square feet of gross floor area	One Loading Berth
f.	Retail Stores; with 60,001 to 100,000 square feet of gross floor area	Two Loading Berths



g.	Retail Stores; exceeding 100,000 square feet of gross floor area	Three Loading Berths
h.	Personal Service Establishments exceeding 10,000 square feet of gross floor area	One Loading Berth
i.	Restaurants; exceeding 10,000 square feet of gross floor area	One Loading Berth
Office Uses:		Required Loading:
j.	Offices and Financial Institutions with 80,000 to 100,00 square feet of gross floor area	One Loading Berth
k.	Offices and Financial Institutions with 100,001 to 500,000 square feet of gross floor area	Two Loading Berths
l.	Offices and Financial Institutions exceeding 500,000 square feet of gross floor area	Two Loading Berths; plus an additional loading berth for each 500,000 square feet, or fraction thereof, over the first 500,000 square feet of gross floor area
Industrial Uses:		Required Loading:
m.	Industrial, Research, Manufacturing, and Warehouse with 6,000 to 10,000 square feet of gross floor area	One Loading Berth
n.	Industrial, Research, Manufacturing, and Warehouse with 10,001 to 40,000 square feet of gross floor area	Two Loading Berths



<p>o. Industrial, Research, Manufacturing, and Warehouse with 40,001 to 100,000 square feet of gross floor area</p>	<p>Three Loading Berths</p>
<p>p. Industrial, Research, Manufacturing, and Warehouse exceeding 100,000 square feet of gross floor area</p>	<p>Three Loading Berths; plus an additional loading berth for each 100,000 square feet of gross floor area, or fraction thereof, over the first 100,000 square feet</p>
<p>Non-Listed Uses:</p>	<p>Required Loading:</p>
<p>q. All other Uses; with 10,000 to 60,000 square feet of gross floor area</p>	<p>One Loading Berth</p>
<p>r. All other Uses; with 60,001 to 100,000 square feet of gross floor area</p>	<p>Two Loading Berths</p>
<p>s. All other Uses; exceeding 100,000 square feet of gross floor area</p>	<p>Two Loading Berths; plus an additional loading berth for each 200,000 square feet, or fraction thereof, over the first 100,000 square feet of gross floor area</p>
<p>All Uses:</p>	<p>Required Loading:</p>
<p>t. Uses listed herein for which loading berths are required but which are located in buildings of less floor area than the minimum prescribed</p>	<p>Off-street loading shall be accommodated within parking areas or service drives in a manner that does not interfere with emergency access, pedestrian or vehicular circulation, and is not within a required front or corner side yard. Such loading facilities shall be subject to the approval of the Community Development Director</p>



BURR RIDGE ZONING ORDINANCE

SECTION XII NON-CONFORMING BUILDINGS, STRUCTURES AND USES

A. STATEMENT OF PURPOSE

The purpose of this Section is to provide for the regulation of legal nonconforming uses, buildings, and structures, and to specify those circumstances and conditions under which those nonconforming buildings, structures, and uses shall be gradually eliminated upon reaching the end of their respective normal useful life or upon their discontinuance or partial or total destruction, and to specify those circumstances and conditions under which those nonconforming buildings, structures and uses shall be permitted to continue until such time as they are eliminated in accordance with the authority granted by Illinois law.

Any uses, buildings, or structures which did not conform with all applicable codes of the public entity having jurisdiction (i.e. County or Village) at the time they were built or the use of the land established, are considered illegal nonconforming uses and must be abated unless otherwise allowed by special use approval as per Section XII.F of this Ordinance.

The regulations contained in this Section purposefully distinguish between different types of nonconformances. There are two general classes of nonconformance of concern to the Village: (1) nonconformance as to use, and (2) nonconformance as to bulk.

1. Nonconformance as to Use

A use not listed as a permitted use, or otherwise made allowable by special or conditional use permit, within the zoning district in which it is located is considered nonconforming as to use. Nonconforming uses can exist in buildings or structures designed or intended for such nonconforming use. Alternatively, they can exist in buildings or structures not designed for such uses but rather in buildings or structures intended for uses permitted in the applicable zoning district. It is the intent of these provisions to distinguish between those two types of use nonconformance.

2. Nonconformance as to Bulk

A building or structure conforming in terms of use but not meeting the standards established for bulk and yard requirements in the zoning district in which they are located represent nonconformance as to bulk. This can occur in one of two ways: it either complied with the bulk regulations of the Village when constructed but those regulations have been subsequently amended in a manner causing the nonconformance, or it was located in an unincorporated area and complied with



all county bulk regulations and since then was annexed to the Village which had different bulk regulations causing the nonconformance. It is the intent of these provisions to keep this type of nonconformance from further divergence from the bulk regulations established in the zoning district in which it is located and to eventually eliminate them.

B. AUTHORITY TO CONTINUE NONCONFORMING BUILDINGS, STRUCTURES, AND USES

Any nonconforming building, structure, or use which existed lawfully at the time of the adoption of this Ordinance, and any such building, structure, or use which shall become nonconforming upon the adoption of this Ordinance, or any subsequent amendments thereto, or which lawfully existed in an unincorporated area and became nonconforming upon annexation to the Village may be continued subject to the regulations which follow.

C. RESTRICTIONS ON NONCONFORMING BUILDINGS, STRUCTURES, AND USES

Any lawfully existing building or structure which does not conform to the regulations of the district in which it is located may be continued, subject to the provision of this Section XII.C.

1. Repairs and Alterations

a. Building or Structure Designed or Intended for a Nonconforming Use.

Repairs and alterations may be made to a nonconforming building or structure designed or intended for a nonconforming use, provided that no structural alterations which increase the bulk of the building or structure shall be made in or to a building or structure, except those required by law or except to make the building or structure, and/or the use thereof, conform to the regulations of the district in which it is located. For the purpose of this Section, repairs shall include the replacement of storage tanks where the safety of operation of the installation requires such replacement, and other replacements of, or substitutions for, machinery or equipment not involving structural alterations to the building or structure, except as herein above provided.

b. Building or Structure Designed or Intended and Used for a Permitted Use.

Repairs, alterations and structural changes may be made to a building or structure, all or substantially all of which is designed, intended and actually being used for a use permitted in the district in which is located but which is nonconforming as to bulk, provided, however, that such repairs, alterations or structural changes conform to the regulations of the district in which such building or structure is located and further provided they do not increase the degree of nonconformance with the bulk regulations of said district.



- c. **Building or Structure Designed for But Not Used for a Permitted Use.** Repairs, alterations, and structural changes may be made to a nonconforming (as to bulk) building or structure, all or substantially all of which is designed or intended for a use permitted in the district in which it is located even though the actual use of such building or structure is not permitted in such district, provided said repairs, alterations, or structural changes conform to the regulations of the district in which said building or structure is located.

2. **Additions and Enlargements**

A nonconforming building or structure which is nonconforming as to bulk, and is designed or intended for a permitted use, shall not be added to or enlarged in any manner unless such additions or enlargements thereto are made to conform to all of the yard regulations of the district in which it is located. A nonconforming building or structure which is nonconforming as to actual use shall not be added to or enlarged in any manner.

3. **Relocation of Building or Structure**

No building or structure shall be moved in whole or in part to any other location on the same or any other lot unless every portion of such building or structure which is moved, and the use thereof, is made to conform to all of the regulations of the district in which it is to be located.

4. **Restoration of Damaged Building or Structure Designed or Intended for Nonconforming Use**

- a. A nonconforming building or structure which is destroyed shall not be rebuilt unless the new building or structure conforms to all of the regulations (including permitted uses thereof) of the district in which it is located; provided, however, if such building or structure was nonconforming only as to bulk regulations, it may be rebuilt in the same location provided that the degree of nonconformance is not increased and further provided that it is determined by Village Board action that there exists no reasonable alternative location which would eliminate or substantially reduce the degree of nonconformance.
- b. A nonconforming building or structure, except those identified by Village Board action as being of historic significance, which is damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition it was in before the occurrence shall exceed 50 per cent of what it would cost to rebuild the entire building or structure shall not be restored unless said building or structure, and the use thereof, shall conform to all of the regulations of the district in which it is located.



- c. In the event such damage is less than 50 percent of the cost of rebuilding the entire building or structure, no repairs or reconstruction shall be made unless such restoration is started within sixty (60) days from the date of partial destruction and completion accomplished within one year from the date of partial damage.

If the restoration is not started within sixty (60) days of official notice by the Community Development Director and diligently prosecuted to completion, the building or structure shall be removed and the area cleared. However, any building or structure designated by the Village Board as being historically significant shall be allowed one year to start restoration.

5. Discontinuance of a Nonconforming Use

If the nonconforming use of a building, structure, or land is discontinued for a continuous period of six (6) months, it shall not be renewed, and any subsequent use of the building, structure, or land shall conform to the use regulations of the district in which such building, structure, or land is located.

6. Expansion of Nonconforming Use

a. Building or Structure Designed or Intended for a nonconforming Use.

The nonconforming use of part of a building or structure, all of which is designed or intended for a use not permitted in the district in which it is located, shall not be expanded or extended throughout the building or structure in which said use is presently located, nor changed to any other nonconforming use.

b. Building or Structure Designed or Intended for a Permitted Use.

The nonconforming use of part of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located, shall not be expanded or extend into any other portion of such building or structure nor changed to any other nonconforming use.

- c. **Land.** The nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall not be expanded or extended beyond the area it occupies.

7. Change of Nonconforming Use

a. Building or Structure Designed or Intended for a Nonconforming Use.

The nonconforming use of part or all of a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, may not be changed to another



nonconforming use.

- b. **Building or Structure Designed or Intended for a Permitted Use.** No nonconforming use shall be changed to another nonconforming use when such nonconforming use is located in a building or structure, all or substantially all of which building or structure is designed or intended for a permitted use.
- c. **Land.** The nonconforming use of land, not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of the land, shall not be changed to any other use, except to a use permitted in the district in which the land is located.

D. ELIMINATION OF NONCONFORMING BUILDINGS AND STRUCTURES

In all Residence Districts, any building or structure, all or substantially all of which is designed or intended for a use allowed only in a non-residential district, and any building or structure which is located in a non-residential district and which is designed or intended for a use allowed only in another non-residential (or residential) district shall be removed or shall be altered, remodeled or converted for a permitted use within six (6) months after the amortization period of such building or structure, which is hereby established as set forth below:

1. Assessed Valuation* More than \$50,000

In accordance with the types of construction classification set forth in the Building Code of the Village of Burr Ridge, Illinois.

- a. Fireproof Construction and Non-Combustible Construction -- 40 years from date of original building permit or ten (10) years following annexation into the Village of the property on which the nonconforming building or structure is located or July 1, 2001 -- whichever last occurs.
- b. Exterior Masonry Wall Construction -- 30 years from date of original building permit or ten (10) years following annexation into the Village of the property on which the nonconforming building or structure is located or July 1, 1997 -- whichever last occurs.

2. Assessed Valuation* Not Less than \$10,000 But Not More than \$50,000

Eight years from date of original building permit or July 1, 1995 -- whichever last occurs.



3. Assessed Valuation* Less than \$10,000

Four years from date of original building permit or July 1, 1995 -- whichever last occurs.

*Note: Assessed valuations referred to in (1), (2), and (3) above are the unequalized assessed valuations as determined by DuPage or Cook County, Illinois, as most recently determined.

E. ELIMINATION OF NONCONFORMING USES

This Section is intended to gradually eliminate inappropriate uses of buildings or structures designed or intended for uses allowed within the district in which it is located.

1. In all Business and Transitional Districts any use of a building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business or Transitional District, but is being used for a use permitted only in a Residential, Office or Manufacturing District, shall be terminated by July 1, 2006.
2. In all Manufacturing Districts any use of a building or structure, all or substantially all of which is designed or intended for a use permitted only in a Manufacturing District but is being used for a use permitted only in a Residential, Office, Business or Transitional District, shall be terminated by July 1, 2006.
3. The nonconforming use of land shall be discontinued and cease by January 1, 1997 in each of the following cases:
 - a. Where no buildings or structures are employed in connection with such use.
 - b. When the only buildings or structures or other physical improvements are accessory or incidental to such use.
4. A nonconforming use of land which is accessory to the nonconforming use of a building or structure shall be discontinued on the same date the nonconforming use of the building or structure is discontinued.
5. Improvements underground or substantially at ground level, which comprise all or substantially all of the improvements employed in a nonconforming use of land, which have a current unequalized assessed value in excess of \$5,000 shall be deemed a nonconforming structure and shall be subject to the applicable provisions of this Section.



F. **SPECIAL USE PROVISION FOR ELIMINATION OF NON-CONFORMING USES**

1. **Legal and Illegal Non-conforming Use Distinguished**

For the purposes of this section only, any non-conforming use in existence on the effective date of this Ordinance or upon annexation to the Village of the property on which the use exists subsequent to the effective date of this Ordinance, is a legal non-conforming use only if, in the opinion of the Community Development Director, the use was permitted at the time the use came into existence under the then applicable Village or County zoning ordinance use restrictions. All other non-conforming uses in existence on the effective date of this ordinance are hereby deemed illegal.

The Community Development Director shall make the determination of whether a non-conforming use in existence at the time of the effective date of this Ordinance is legal or illegal, as defined herein, upon review of any evidence pertaining to prior use and prior zoning ordinance use restrictions which is submitted by the owner of the property (or his or her designee). The sole remedy to appeal such a decision is to seek a special use permit as provided for in Section XII.F.2 of this Ordinance.

2. **Illegal Non-Conformance with Use Standards Adjacent to Residential Uses.**

Any use, permitted or non-conforming, shall become subject to and be brought into compliance with the performance standards of this Ordinance upon annexation into the Village of Burr Ridge. It is the purpose and intent of these provisions of this Ordinance, to bring those uses which are non-conforming under the performance standards of this Ordinance, for manufacturing and industrial-type uses in any district involving manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, warehousing, shipping, delivery, loading and/or unloading of goods, or testing of materials, goods or products, which are adjacent to or within 500 feet of any residential use(s), into immediate compliance with such performance standards. A grace period of up to nine (9) months to achieve compliance with a particular performance standard(s) may be allowed upon a showing by the property owner that compliance with a particular use/performance standard will require substantial expenditures, or additional time, to achieve the retrofitting, modifications or adjustments to vehicles, equipment, machinery, plantings, or construction required to comply with the particular use/performance standard(s).

A property owner seeking additional time to comply with the performance standards of this Ordinance shall make a showing of such need to the Community Development Director, who is then authorized to determine whether the property owner has demonstrated the need for the grace period set forth herein. The property owner may pursue an appeal of such determination as provided under



Section XIII.I of this Ordinance. (Amended by Ordinance A-834-5-10)

3. Special Use Option

The owner or occupier of an illegal non-conforming use in existence on the effective date of this Ordinance may apply for a special use permit in accordance with Section XIII of this Ordinance. Upon receipt of such an application, the Board of Trustees, upon recommendation from the Plan Commission, may grant special use approval, subject to such conditions as the Board of Trustees finds necessary for compliance with the special use standards set forth in Section XIII of this Ordinance.



BURR RIDGE ZONING ORDINANCE

SECTION XIII ADMINISTRATION

A. ORGANIZATION

The primary administration of this Ordinance is hereby vested in five (5) entities of the government of the Village of Burr Ridge as follows:

1. Community Development Director,
2. Plan Commission,
3. Zoning Board of Appeals, and
4. Village Board of Trustees.

This section shall first set out the authority of each of the above offices, and then describe the procedure and substantive standards with respect to the following administrative functions:

1. Issuance of zoning certificates,
2. Issuance of zoning occupancy certificates,
3. Variations,
4. Appeals,
5. Amendments,
6. Special uses,
7. Planned unit developments.

B. COMMUNITY DEVELOPMENT DIRECTOR

For the purposes of this Ordinance, the Community Development Director shall be that person or persons designated by the Village Board of Trustees as the head of the Community Development Department. The duties are as follows:

1. Enforcement Powers

- a. Issue all zoning certificates and maintain records thereof.
- b. Issue all zoning certificates of use and occupancy and maintain records thereof.
- c. Conduct inspections of buildings, structures, and use of land to determine compliance with the terms of this Ordinance.
- d. Issue violation notices requiring compliance and advising suspected violators of their right to appeal; to issue citations for violations of this Ordinance; and to designate enforcement officers with the same authority. (Amended by Ordinance No. A-834-03-05)



- e. Require that all construction or work of any type be stopped when such work is not in compliance with this Ordinance; and revoke any permit which was unlawfully issued.
- f. Enforce all orders of the Zoning Board of Appeals.

2. Administrative Duties

- a. Supervises all activities regarding planning and zoning and coordinates the consideration by the Plan Commission, Zoning Board of Appeals and Village Board of Trustees of all documents, applications, site plans, planned unit developments and other matters as specified in this Ordinance.
- b. Receives, reviews and forwards all applications for variations and all appeals to the Zoning Board of Appeals for consideration.
- c. Receives, reviews and forwards all applications for amendments, special uses and planned unit developments to the Plan Commission for consideration.
- d. Conducts all pre-application conferences as set forth in this section.
- e. Conducts plan reviews and coordinates the preparation of technical reports to the Plan Commission, Zoning Board of Appeals and Village Board of Trustees.

C. THE PLAN COMMISSION

1. Creation

The Plan Commission for the Village of Burr Ridge, as originally created by Ordinance No. 66 and as revised in Article 1 of Chapter 3 of the Burr Ridge Municipal Code, is the Plan Commission referred to in this Ordinance.

2. Jurisdiction

The Plan Commission shall discharge the following duties under this Ordinance (as well as any other duties assigned to the Commission under the terms of this Ordinance or by direction of the President and Board of Trustees of the Village):

- a. Review all applications for amendments to this ordinance (text or map), hold hearings thereon, and report findings and recommendations to the Village Board of Trustees in the manner prescribed herein.
- b. Review all applications for special uses, hold hearings thereon, and report findings and recommend action to the Village Board of Trustees as prescribed herein.
- c. Coordinate the enforcement of this Ordinance with the Official Comprehensive Plan of the Village of Burr Ridge as amended from time to time.
- d. To hear and report to the Village Board of Trustees, with recommendation, those matters not treated above, which the Village Board of Trustees has referred to it.



D. ZONING BOARD OF APPEALS

1. Creation

- a. The Plan Commission for the Village of Burr Ridge is hereby established as the Zoning Board of Appeals and the members of such Commission shall constitute the members of the Zoning Board of Appeals (with the exception that the Alternate Member of the Plan Commission shall not be a member of the Zoning Board of Appeals) under this Ordinance and under Chapter 3 of the Burr Ridge Municipal Code. Said Commission shall consist of seven members with staggered terms of five years each so that only one term of office expires each year. The successor to each member so appointed shall serve for a term of five years.
- b. All appointments to the Zoning Board of Appeals (Plan Commission) shall be made by the Village President, subject to the approval of the Village Board of Trustees.

One of the members so appointed shall be named as Chairman at the time of appointment. The Village President, subject to approval by the Village Board of Trustees, shall have the power to remove, after a public hearing, any member of the Zoning Board of Appeals (Plan Commission) for cause. Vacancies shall be filled as soon as possible for the unexpired term of any member whose office has become vacant. In the event that the office of Chairman is vacant for any reason, the Village President shall immediately appoint at his option, either one of the remaining members on the Board, or any member who is appointed to fill such vacancy on the Board as the new Chairman. Such appointment shall be subject to the approval of the Village Board of Trustees at its next scheduled meeting.

- c. All meetings of the Zoning Board of Appeals (Plan Commission) shall be held at the call of the Chairman and at such other times as the Board may determine. All testimony by witnesses at any hearing provided for in this Zoning Ordinance shall be given under oath. The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public at which time every person has the right to be heard or to be represented by a duly authorized agent or attorney. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact, and shall also keep records of its examinations and other official actions. In every case the Board shall include in its official report the reasons a request for a variation is denied. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision, or determination of the Board shall immediately be filed in the office of the Village Clerk and shall be of public record.
- d. The concurring vote of four members of the Zoning Board of Appeals (Plan Commission) shall be necessary to reverse any order, requirement, decision, or determination of the Community Development Director or to recommend in favor of the application on any matter which it is authorized by this Ordinance to render a recommendation, or to recommend any variation or modification in the ordinance to the corporate authorities of the Village.

2. Jurisdiction

- a. To review and decide on appeals from any order, requirement, decision, or determination made by the Community Development Director under this Ordinance.



- b. To hear and make recommendations, including findings of fact, to the Village Board of Trustees upon applications for variations from the terms of this Ordinance in the manner prescribed by and subject to the standards established herein.
- c. To hear and report to the Village Board of Trustees, with recommendation, those matters not treated above which the Village Board of Trustees has referred to it.

E. THE VILLAGE BOARD OF TRUSTEES

1. Creation

The Village Board of Trustees of the Village of Burr Ridge, hereinafter referred to as the "Village Board" or "Board of Trustees," as established in accordance with the Statutes of the State of Illinois, is the Village Board of Trustees referred to in this Ordinance.

2. Jurisdiction

The Village Board of Trustees shall discharge the following duties under this Ordinance:

- a. Receive from the Plan Commission, and approve (with or without modifications) or disapprove, all proposed amendments (both text amendments and rezonings) and special uses and/or return the matter to the Plan Commission for further consideration.
- b. Receive from the Zoning Board of Appeals and approve (with or without modifications) or disapprove, all proposed variations from this Ordinance and/or return the matter to the Zoning Board of Appeals for further consideration.
- c. Any other duties required by this Ordinance or state law.
- d. The provisions of this Section XIII.E.2 shall not be interpreted to prevent the Board of Trustees from executing any power it may have.

F. ZONING CERTIFICATES

1. Certificate Required

Except as hereinafter provided, no permit, including a building permit, pertaining to the use of land, buildings, or structures shall be issued by an officer, department, or employee unless the application for such permit has been examined by the Community Development Director or his duly appointed representative, and he has issued a Zoning Certificate indicating that the proposed building, structure or use complies with all the provisions of this Ordinance. Any permit or certificate issued in conflict with the provisions of this Ordinance shall be null and void, specifically including, but not limited to, any building permit for any building, structure, or use which is not allowed in the zoning district in which it is located or, if allowed as a special use, then where no special use has been granted for it.

2. Plans and Drawings

Every application for a zoning certificate shall be accompanied by:

- a. A site plan of the piece or parcel of land, lot, lots, block or blocks, or parts or portions thereof, drawn to scale showing the actual dimensions of the piece



or parcel, lot, lots, block or blocks, or portions thereof, according to the registered or recorded plat of such land; and

- b. Additional drawings drawn to a scale in such form as may, from time to time, be prescribed by the Community Development Director showing the ground area, height, and bulk of the building or structure, the building lines in relation to lot lines, the use to be made of the building, structure, or land, the number of dwelling units and number of bedrooms in such dwelling units, and such other information as may be required by the Community Development Director for the proper enforcement of this Ordinance.
- c. The Community Development Director may, in those cases where in his judgment it is necessary, require certification of said site plan by a registered or licensed professional engineer, registered or licensed architect, or registered or licensed land surveyor.

3. Compliance with Performance Standards

An application for a zoning certificate for a building or structure (or portion thereof) and use which requires compliance with the Performance Standards as herein set forth in the general regulations of the Manufacturing Districts shall have affixed to it the certification of a professional engineer, licensed by the State of Illinois, and who is qualified to review the engineering aspects of the various performance standards regulations. Such certification shall state that the building or structure (or portion thereof) and the operation of the use thereof, or the use of land when no building or structure is involved, complies with all provisions of this Ordinance pertaining to such Performance Standards.

4. Issuance of Certificate

The Community Development Director shall, upon receipt of such application, approve and authorize the issuance of a zoning certificate, provided there is compliance with all other relevant provisions of this Ordinance. The issuance of a zoning certificate shall not relieve the applicant and owner from fully complying with all applicable provisions of this Ordinance unless the Board of Trustees approves a variation therefrom by separate ordinance. Final compliance shall be determined at the time of application for a certificate of occupancy.

G. ZONING CERTIFICATES OF OCCUPANCY

1. When Required

No land, building or structure shall be occupied or used until and unless a Zoning Certificate of Occupancy is issued by the Community Development Director in accordance with the requirements of this Section XIII.G.

- a. Existing Uses: Within nine (9) months of the effective date of this Ordinance, no person shall continue to use or occupy, or permit the use or occupancy, of any non-residential use, building or structure in existence at the time of the effective date of this Ordinance without first obtaining a Zoning Certificate of Occupancy as provided for herein.
- b. Change in Use, Occupancy, Ownership: Upon the effective date of this Ordinance, no person shall change the use, occupancy or ownership, or permit the change in use, occupancy or ownership, of any non-residential use, building or structure, without first obtaining a Zoning Certificate of Occupancy as provided for herein. A "change in use" shall include, but not be limited to, any change where the business entity becomes a new business entity even though the zoning use is the same (e.g., if "X Cleaners" becomes



"Y Cleaners", and takes over this same space, whether by lease, purchase, or any other means, this shall constitute a "change of use" requiring a new Zoning Certificate of Occupancy).

For purposes of this section, "change" of "ownership" shall refer to the conveyance of any real property interest involving the transfer of title, equitable title, beneficial interest, or leasehold interest, or in the case of non-real property "changes" for a corporation, trust, partnership, sole proprietorship, or other business form, the transfer (by sale, gift, exchange, assignment or any other transfer of any kind) of an interest (e.g., shares or beneficial interest) representing more than 25% of the business or more than 25% of the assets of any such business.

- c. New Construction: No person shall occupy or use, or permit the occupancy or use, of any building, or portion thereof, constructed after the effective date of this ordinance, nor use any land, vacant on the effective date of this Ordinance, for any purpose (including but not limited to customer parking) without first obtaining a Zoning Certificate of Occupancy. Zoning Certificates of Occupancy for sexually oriented businesses as defined in Chapter 9 of the Burr Ridge Municipal Code, shall only be issued after the applicant has complied with all requirements for occupancy as specified in said Chapter 9 of the Burr Ridge Municipal Code. (Amended by Ordinance A-834-3-97)

2. Requirements

The Community Development Director shall issue Zoning Certificates of Occupancy, as required herein, only upon a finding of compliance with the following:

- a. The regulations of this Ordinance pertaining to parking and loading, and permitted uses; and
- b. The decisions, conditions or special requirements resulting from the granting of special use permits, or the applicable terms of any lawfully existing annexation agreement affecting the construction of buildings and/or structures on and the use of property.

3. Application

Every application for a Zoning Certificate of Occupancy, as required herein, shall be made directly to the Community Development Director on forms provided for by the Community Development Director.

4. Issuance

The Community Development Director shall review all applications for a Zoning Certificate of Occupancy and within a reasonable period from the application date, shall either issue a Zoning Certificate of Occupancy or deny such an application in a writing that sets forth the reasons why the Certificate cannot be issued.

H. VARIATIONS

1. Purpose

The Zoning Board of Appeals may recommend variations from the regulations of this Ordinance to the Village Board of Trustees under the standards set forth below. Such variations shall be considered only in specific instances hereinafter set forth, and where the Zoning Board of Appeals holds a public hearing and makes findings of fact in accordance with the standards hereinafter prescribed.



2. Application and Notice of Hearing

- a. An application for a variation may be made by any governmental office, department, board, bureau, or commission or by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, an option to purchase, or any exclusive possessory interest applicable to the land or land and improvements described in the application for a variation.
- b. An application for a variation shall be filed with the Community Development Director, who shall forward such application to the Zoning Board of Appeals for processing.
- c. Notice of all public hearings conducted by the Zoning Board of Appeals wherein an application for a variation is to be considered shall be published at least once not more than thirty nor less than fifteen days before said hearing in one or more newspapers published within the Village or, if no newspaper is published within the Village, then in a newspaper(s) with a general circulation within the Village of Burr Ridge as required by law.

3. Standards for Variations

The Zoning Board of Appeals shall not recommend variations from the regulations of this Ordinance unless it shall make findings based upon the evidence presented to it in each specific case that:

- 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.
- 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.
- 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.
- d. The purpose of the variation is not based primarily upon a desire to increase financial gain.
- e. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property.
- 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.
- g. The granting of the variation will not alter the essential character of the neighborhood or locality.
- 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.



- 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 Zoning Board of Appeals may recommend and the Village Board of Trustees may impose such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards established in this section and the objectives of this Ordinance.

4. **List of Variations**

Variations from the regulations of this Ordinance which meet the standards established above, may be recommended by the Zoning Board of Appeals and granted by the Village Board of Trustees only in the instances described herein and in no others. The listing of the following variations does not in any way obligate the Village of Burr Ridge to approve such variations. Each variation requested must meet the standards for variations contained herein:

- a. To permit any yard or setback to be less than the setback or yard required by the applicable regulations.
- b. To permit a modification to the area, width, or shape of a lot or lots.
- c. To permit a modification to the parking and loading regulations including but not limited to parking variations whereby land is set aside to accommodate future increases in parking demand (i.e. land banking of parking).
- d. To reduce the land area required for use of the planned unit development provisions of this Ordinance from that amount required in each zoning district.
- e. To increase the maximum gross floor area of any use so limited by applicable district regulations.
- f. To increase the maximum allowable building height of any use in any district.
- g. To permit outside storage in a manufacturing district.
- h. To permit modifications to the regulations for accessory buildings, structures, and uses including but not limited to fences, sheds, and pools.

Recommendations for approval, approval with conditions or disapproval shall be referred to the Village Board, incorporating the Zoning Board of Appeals findings of fact for final action.

The Village Board of Trustees may authorize applications for variations other than those listed above. In such cases, the Village Board of Trustees must direct the Zoning Board of Appeals to hear the variation request, hold a public hearing and submit recommendations. Provided, however, in no event shall a specific use be permitted by variation which otherwise would not have been allowed.

5. **Revocation**

Where a variation has been granted pursuant to the provisions of this Ordinance, such approval shall become null and void unless work thereon is substantially under way within 12 months of the date of issuance, unless extended by the Village Board of Trustees.



I. APPEALS

1. Authority

An appeal may be taken to the Zoning Board of Appeals from any order, requirement, decision or determination made by the Community Development Director or by any person aggrieved by action taken under the regulations of this Ordinance. The Zoning Board of Appeals shall review and make a final ruling on the appeal.

2. Initiation

An appeal may be taken to the Zoning Board of Appeals by any person, firm or corporation, or by any office, department, board, bureau, or commission (including any of the Village), aggrieved by an administrative order, requirement, decision or determination under this Ordinance by the Community Development Director or other authorized official of the Village of Burr Ridge. For purposes of this Section, an aggrieved person shall include any person who is in opposition to the original decision.

3. Processing

An appeal shall be filed with the Community Development Director, with a copy to any other authorized official of the Village of Burr Ridge involved in the matter being appealed. The Community Development Director shall forward such appeal, including all papers from any other authorized official which constitute the record upon which the appeal action is taken, to the Zoning Board of Appeals for review. The Zoning Board of Appeals shall fix a reasonable time for the review of the appeal and shall give due notice thereof to the party filing the appeal and to the Community Development Director.

4. Stay of Proceedings

Once an appeal is taken, such appeal shall stay all proceedings and all construction or development which is the object of the appeal, unless the Community Development Director certifies that a stay would cause imminent peril, and in that event, the specific directions of the Community Development Director shall be followed until the appeal has been finally decided.

5. Decisions

All decisions by the Zoning Board of Appeals, after its deliberation, from any order, requirement, decision, or determination relating to this Ordinance made by the Community Development Director shall in all instances be final administrative determinations.

J. AMENDMENTS

1. Authority - Declaration of Public Policy

For the purpose of promoting the public health, safety and general welfare, conserving the value of property throughout the community, and lessening or avoiding congestion in the public streets and highways, the Village Board of Trustees may, from time to time, in the manner hereinafter set forth, amend the regulations imposed in the districts created by this Ordinance or amend district boundary lines, including rezoning or reclassifying specific property, provided that in all amendatory ordinances adopted under the authority of this Section, due allowances shall be made for existing conditions, the policies, standards, and principles of the Official Comprehensive Plan of the Village of Burr Ridge, as



amended, the conservation of property values, the direction of building development to the best advantage of the entire community, and the uses to which property is devoted at the time of the adoption of such amendatory ordinance.

2. Application, Notice and Hearing

- a. Amendments may be proposed by the Board of Trustees, Plan Commission, and by a person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application for an amendment.
- b. An application for an amendment to this Ordinance shall be filed with the Community Development Director in such form and accompanied by such information as required by the Community Development Director. The Community Development Director, upon receiving an application for amendment, shall transmit the application, along with all pertinent data filed therewith, to the Plan Commission for review, public hearing and recommendation to the Village Board of Trustees.
- c. The Plan Commission shall schedule a public hearing on any proposed amendment in accordance with the Statutes of the State of Illinois. Such public hearing shall be scheduled within 60 days of receipt of a complete application for amendment unless an extension of time is requested in the application and approved by the Plan Commission. Notice of time and place of public hearings shall be published at least once in a newspaper published within, or if none, then of general circulation within the Village of Burr Ridge not more than 30 days nor less than 15 days before such public hearing. Notice will be sent as required by the Statutes of the State of Illinois.

3. Recommendation of the Plan Commission - Findings of Fact

The Plan Commission shall submit written recommendations to the Village Board of Trustees within 60 days of the conclusion of the public hearing. Extension of this time period may be allowed by mutual consent of the applicant and Plan Commission. Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Plan Commission shall make findings based upon the evidence presented to it in each specific case with respect to, but not limited to, the following matters:

- a. Existing uses of property within the general area of the property in question.
- b. The zoning classification(s) of property within the general area of the property in question.
- c. The suitability of the property in question to the uses permitted under the existing zoning classification.
- d. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification; and
- e. The impact upon the objectives of the Official Comprehensive Plan of the Village of Burr Ridge, as amended.

The Plan Commission shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such amendment is not detrimental to the public interest. The Plan Commission may recommend the adoption of an amendment



changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph, the R-1 District shall be considered the highest classification and the G-I District shall be considered the lowest classification.

4. Action by the Village Board

- a. The Village Board shall not act upon a proposed amendment to this Ordinance until it shall have received a written report and recommendation from the Plan Commission on the proposed amendment incorporating their findings of fact as specified in Section XIII.J.3.
- b. The Village Board may grant, grant with modifications, or deny any application for an amendment, or refer it back to the Plan Commission for further consideration.
- c. In case a written protest against any proposed amendment signed and acknowledged by owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across the alley therefrom, or by owners of 20 percent of the frontage directly opposite the frontage to be altered, is filed with the Village Clerk, the amendment cannot be passed except on the favorable vote of two-thirds of all members of the Board of Trustees. In such cases, a copy of the written protest must be served by the protestor or protestors on the applicant for the proposed amendment and also a copy upon the applicant's attorney, if any, by certified mail at the addresses of such applicant and attorney shown in the application for the proposed amendment.

K. SPECIAL USES

1. Purpose

The development and execution of this Ordinance is based upon the division of the community into districts within which districts the use of land, buildings, and structures, and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use in the particular location. Such conditional permitted uses (also referred to as special uses) fall into three categories:

- a. Uses publicly operated or traditionally associated with a public interest, and
- b. Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon the use and enjoyment of neighboring property or public facilities.
- c. Planned unit developments.

A use may be a permitted use in one or more zoning districts and a special use in one or more other zoning districts.

2. Initiation of a Special Use

Any person, firm, corporation, office, department, or other legal entity having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest or an exclusive



possessory interest which is specifically enforceable, may file an application with the consent of the property owner to use such land for one or more of the special uses provided for in this Ordinance in the zoning district in which the land is located.

3. Pre-application Conference

With the exception of planned unit developments (see Section XIII.L et. seq. below), prior to official submittal of an application for a special use, the applicant shall meet with the Community Development Director for a pre-application conference as to the scope and nature of the proposed special use. The purpose of the conference is to allow the applicant to informally present the proposed development to the Community Development Director and to present a general concept prior to the preparation of detailed plans. Prior to the scheduling of a pre-application conference, the applicant shall submit to the Community Development Director material including, at a minimum, the following:

- a. To the extent applicable, a written "Letter of Intent" from the applicant establishing the applicant's intentions as to development of the special use.
- b. To the extent applicable, a location map.
- c. To the extent applicable, sketch plans regarding land use, dwelling or building types and density, street and lot arrangements and tentative lot sizes.
- d. To the extent applicable, tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
- e. To the extent applicable, parking provisions.
- f. Other material the applicant may wish to present or the Community Development Director may request.

4. Application for Special Use

An application for a special use shall be filed with the Community Development Director on a form prescribed by the Community Development Director. The application shall be accompanied, at a minimum, by the following:

- a. An accurate topographic and boundary line map of the project area and a location map showing its relationship to surrounding properties.
- b. The pattern of public and private roads, driveways, and parking facilities and intended design standards.
- c. The size, arrangement, and location of lots of proposed building groups.
- d. Location, type and size of proposed landscaping.
- e. The use, type, size and location of structures.
- f. The location of sewer and water facilities.
- g. Architectural drawings and sketches illustrating the design and character of proposed buildings and structures.
- h. The location of open space areas and areas dedicated for public uses such as schools, parks, etc.
- i. Existing storm drainage pattern and proposed storm drainage system showing basic topographic changes.



- j. Statistical data on total size of project area, area of useable open space, density computation and proposed number of residential units by type, and any other similar data pertinent to a comprehensive evaluation of the proposed development.
- k. A copy of intended and/or existing deed restrictions.

Where conditions warrant, the Community Development Director or the Plan Commission may require additional documentation or may waive any of the above requirements.

Such application shall be forwarded by the Community Development Director to the Plan Commission for public hearing and recommendation to the Village Board of Trustees.

5. Hearing for Special Use

The Plan Commission shall hold a public hearing on each application at such time and place as shall be established by the Plan Commission after due notice as required by law. Such hearing shall be scheduled not more than 60 days from the date that a complete application for a special use has been received by the Community Development Director. Notice of time and place of public hearings shall be published at least once in a newspaper published within, or if none, then of general circulation within the Village of Burr Ridge not more than 30 days nor less than 15 days before such public hearing. Notice will be sent as required by the Statutes of the State of Illinois.

6. Plan Commission Findings

For each application for a special use, the Plan Commission shall, within 60 days of the conclusion of the public hearing on the application, report its written findings and recommendations to the Village Board of Trustees unless an extension of such time limit has been requested by the applicant and approved by the Plan Commission.

7. Standards

No special use shall be recommended by the Plan Commission or approved by the Village Board unless it is found that:

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.
- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger the public health, safety, morals, comfort, or general welfare.
- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.
- d. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- e. Adequate utilities, access roads, drainage and/or necessary facilities have



been or will be provided.

- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.
- h. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

8. Conditions and Guarantees

Prior to the granting of any special use, the Plan Commission may recommend and Village Board of Trustees may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as is deemed necessary or desirable for the protection of the public interest and to secure compliance with the standards and requirements specified in Section XIII.K.7, above. In all cases in which special uses are granted, the Village Board of Trustees shall approve a specific site plan, including landscape plans if applicable, and shall require such evidence and guarantees as it may deem necessary as proof that the special use will comply with all conditions stipulated in connection therewith.

9. Action by the Village Board of Trustees

- a. The Village Board of Trustees shall not act upon a proposed special use permitted under this Ordinance until it shall have received a written report and recommendation from the Plan Commission on the proposed special use.
- b. The Village Board of Trustees may grant, grant with modifications, or deny, by ordinance, or refer back to the Plan Commission for further study, any application for special use. The Board shall approve a specific site plan, including landscape plans if applicable, and may establish such conditions and restrictions, along with appropriate guarantees, upon the establishment, location, construction, operation, and maintenance of a proposed special use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in Section XIII.K.7.
- c. In all cases where the Village Board of Trustees permits the establishment of a special use, the ordinance establishing the special use shall contain a specific description of the special use, along with any conditions, restrictions or guarantees made part of the basis for such approval.

10. Deviations and Changes

Except as provided below for minor changes, any modifications to the approved site plan for a special use shall require a new pre-application conference, a new application and a new public hearing as set forth above. If the developer or owner of land affected by the special use wishes to deviate from the approved site plan, a written request shall be filed with the Community Development Director, setting forth in detail the changes requested, accompanied by site plans clearly indicating the scope of the changes.

The Community Development Director shall make a written determination of the nature of the proposed changes, including whether they are minor or substantial as



herein set forth. If the Community Development Director determines that the proposed change is minor, then it shall be referred to the Plan Commission for review and a recommendation to the Village Board of Trustees. No public hearing shall be required. After review and consideration of a minor change, the Plan Commission may recommend to the Village Board of Trustees such modifications as it deems appropriate without the requirement for further public hearings, and the Village Board of Trustees shall then make such decision on the proposed minor change as it deems appropriate. There is no specific right to any such modifications and, therefore, the decision of the Village Board of Trustees shall be final. If the decision is to approve any such minor change, the applicant shall be bound to develop the special use in accordance with such decision and the modified site plan and any modifications to the conditions and guarantees which the Village Board of Trustees shall require.

- a. **Minor Changes** - A minor change is any change in the site plan or design details which is consistent with the standards and conditions applying to the special use heretofore granted and which does not alter the concept or intent of the special use permit. A minor change shall not increase the project's density, the height or number of buildings and structures or the number of signs; shall not reduce open space, and shall not add new parking or other paved areas or new lighting.
- b. **Substantial Changes** - A substantial change shall be any change other than a minor change.

11. Effect of Denial of Special Use

No application for the same or substantially similar special use, which has been denied wholly or in part by the Village Board of Trustees, shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Village Board of Trustees.

12. Revocation

In any case where construction of a special use (other than a planned unit development) has not been commenced within six months of Board approval or has not been substantially completed within two years of Board approval, all in accordance with the terms of the special use originally granted, then the special use and authorization thereof, shall be null and void unless extended by the Board of Trustees.

In connection with a planned unit development, in any case where commencement of the plat process for said planned unit development has not occurred within three months after approval of the planned unit development by the Village Board, or in any case where construction has not been commenced within six months after approval of a plat of subdivision for the planned unit development (or any portion thereof), or in any case where construction has commenced within the required time period but does not thereafter continue with reasonable progress, the special use which was originally granted shall be null and void unless time is extended by the Board of Trustees.

L. PLANNED UNIT DEVELOPMENTS

1. Purpose and Description of Planned Unit Developments

The purpose of the planned unit development provisions of this Ordinance is to provide a mechanism to accommodate development of an area of the minimum size established in specific district regulations set forth in this Ordinance which is in the



public interest, and which would not otherwise be permitted pursuant to this Ordinance. It is anticipated that Planned Unit Developments will offer one or more of the following advantages: designs which reflect the historic open character of single family areas of the Village, designs which enhance the appearance of neighborhoods by conserving streams, areas of natural beauty, and natural green spaces, designs which counteract possible urban monotony and congestion in streets, designs which promote compatible architecture between adjacent buildings and structures, and designs which will substantially buffer and provide appropriate transitions between differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development. These provisions are also intended to provide an opportunity to accommodate developments that involve one or more uses and that may be located in more than one zoning district.

In general, the planned unit development provisions of this Ordinance are intended to provide the following:

- a. A choice in the type of environment available to the public by allowing development that would not be possible under the strict application of other sections of this Ordinance.
- b. Development and/or permanent reservation of open space, recreational areas and facilities.
- c. A land use plan which permits preservation of green space, natural vegetation, topographic and geological features and historic resources.
- d. A creative approach to the use of land and related physical facilities which results in better urban design, higher quality construction and the provision of aesthetic amenities.
- e. The efficient use of land, so as to promote economies in the provision of utilities, streets, schools, public grounds and buildings, and other facilities.
- f. Innovations in development so that the growing needs and demands of the population may be met by a greater variety in type, design, and layout of buildings and structures, and by conservation and more efficient use of open space ancillary to said buildings and structures, all in a manner so as to be consistent with the character of the zoning district in which the planned unit development is located.
- g. A land use which promotes the public health, safety, comfort, morals and welfare.

The planned unit development requirements and regulations allow for far more flexibility than those pertaining to other uses.

It is not intended that the Village will automatically grant the maximum density increases for all planned unit developments, but it is expected that the Village Board shall grant only such increases or uses which are consistent with the benefits accruing to the Village as a result of the planned unit development. Therefore, the Plan Commission and Village Board may as a condition of approval require conditions, limitations and/or design factors which will promote proper development of a planned unit development.

2. Procedure

A planned unit development shall be granted as a special use in the district in which it is permitted in accordance with the procedures and standards set forth in this Section. To the extent that the procedures and standards set forth in this Section are



inconsistent with the requirements set forth in other sections of the Ordinance or any other development control ordinance of the Village, this Section shall apply, except that all required improvements shall comply with construction standards, design standards and all other engineering standards contained within the Village's Subdivision Regulations Ordinance.

Applications shall be made on forms provided by the Village and shall be accompanied by the required plans and documents. The application, and each step set forth herein shall be reviewed and certified by the Community Development Director as complete and to be in accordance with the planned unit development requirements.

a. Community Development Department Review

Prior to filing a formal application for approval of a planned unit development, the applicant shall submit to the Community Development Director a written request for a pre-application conference with the Community Development Director.

The purpose of such a conference is to allow the Community Development Director, or delegate, to inform the applicant of all applicable ordinances, rules, regulations, plans, policies, standards, and procedures which are at that time officially adopted and which may affect the proposed development or the consideration of said development by the Plan Commission. Such a conference also allows the applicant to present a general concept of his proposed development prior to the preparation of detailed plans. At the conference the applicant shall present material including at a minimum the following:

- (1) A written "Letter of Intent" from the applicant establishing the applicant's intentions as to development of a specific planned unit development located within or to be annexed to the Village of Burr Ridge.
- (2) A location map.
- (3) Sketch plans regarding land-use, dwelling-type and density, street and lot arrangements and tentative lot sizes.
- (4) Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.
- (5) Parking provisions.
- (6) Other material the applicant may wish to present or the Community Development Director may request.

The Community Development Director shall advise the applicant of the zoning requirements and official village plans and policies which might affect the proposed development as well as the procedural steps for approval.

b. Pre-application Conference

Prior to filing the preliminary plan referred to below, the applicant shall request a pre-application conference with the Plan Commission. The request shall be accompanied by the documents previously submitted to the Community Development Director with such changes as the applicant has made subsequent to the applicant's meeting with the Community Development Director, and shall include the documentation required in



Section XIII.L.3 hereof. At the pre-application conference, the Plan Commission shall advise the applicant of planning objectives which may affect the property and any other issues of concern to the Plan Commission. The application shall likewise be referred to the Village Engineer and other appropriate staff for review. The Plan Commission shall obtain the report of its staff on the proposed development, recommending such changes in building location, pattern of roadways, landscaping, and other matters as may be required to achieve a site plan consistent with the purposes and standards set forth in this Ordinance and the goals of the Comprehensive Plan. If, in the opinion of the Plan Commission, the proposed plan could be improved in respect to the criteria listed herein by modification of the location of open space, buildings, structures, or any other detail, the proposed plan shall be so modified or the developer shall provide in writing the objections to the modifications.

c. **Preliminary Plan.**

After the pre-application conference the preliminary plan of the planned unit development shall be submitted when ready to the Community Development Director, who will review it and, once it is complete, shall so certify that the application is complete and shall forward it to the Plan Commission for its consideration, public hearing and subsequent recommendation to the Village Board. The Community Development Director shall submit minutes of the pre-application conference to the Plan Commission and to the Village Board of Trustees. The Plan Commission may request review of the planned unit development by and recommendations from other appropriate Village departments and any other taxing body it deems affected by the proposed development. The Plan Commission may require workshop meetings to discuss and review the proposal and may assign review responsibilities to appropriate Plan Commission subcommittees.

The required procedure for consideration and approval of the preliminary plan shall be:

- (1) Submission of the following:
 - (a) Written application for approval of a planned unit development shall be made on forms and in the manner prescribed by the Village.
 - (b) The preliminary plan and supporting data shall be in accordance with the provisions of Section XIII.L.3 hereof.
 - (c) A statement of conformity with the Village's Subdivision Ordinance along with a list of any requested variations from these regulations.
 - (d) Copies of the preliminary planned unit development plan and supporting data shall be submitted to the Village for certification as to conformity with these regulations and any recommendations and suggestions regarding the overall design.
- (2) Copies of the preliminary planned unit development plan and supporting data shall be made available by the applicant to any school district, sanitary district, library district, park district, fire protection district, and other taxing bodies which might be affected by the development.
- (3) The Plan Commission shall hold a public hearing on application for



approval of a planned unit development.

- (4) Following the review of the preliminary plan and other supporting data and after the public hearing, the Plan Commission shall make its findings and recommendations and send a report to the Village Board of Trustees which shall include findings of fact upon which its recommendations are based as specified in Section XIII.L.7 hereof. Such findings and recommendations shall include a recommendation for approval, disapproval, or approval with modifications. This report to the Village Board of Trustees must be submitted within 70 days after the last session of the public hearing of the Plan Commission or the Commission must indicate to the Village Board of Trustees why such a report cannot be rendered within that time period.
- (5) The Village Board shall, within 120 days after receipt of the Plan Commission's report, approve, approve with modifications, refer back to the Plan Commission for further review, disapprove the plan or provide a written explanation to the petitioner on why an extension is required for Village Board of Trustees action. The time period for action shall be exclusive of any time extensions or continuances requested by the petitioner.
- (6) Approval of the preliminary plan for a planned unit development shall not constitute approval of the final planned unit development plan nor subdivision approval and all procedures for approval of a final plan and the planned unit development shall fully comply with all procedures of the Subdivision Regulations Ordinance of the Village, if applicable, and other applicable ordinances. Approval of the preliminary plan shall be deemed an expression of approval of the concepts and details of the preliminary plan of planned unit development which are set forth in the application for approval of the planned unit development, and as a specific guide to the preparation of final documents which are required as part of the application for approval of the final planned unit development plan. Further, it indicates approval of the details set forth in the application and a commitment by the applicant to the details set forth in the application.

No building permit shall be issued for any building or structure until the final plan and appropriate plats of subdivision have been filed, approved, and recorded with the County Recorder or Registrar of Titles, if applicable, as provided below.

d. Final Plan

The purpose of the final plan is to designate with particularity the land subdivided into conventional lots as well as the division of other lands, not so subdivided, into common open areas and building sites. The preliminary plan shall generally locate buildings and structures, whereas the final plan shall show the exact location of each building and structure to be constructed and a designation of the specific internal uses proposed for each building and structure. The final plan also functions to inform all who deal with the planned unit development of the restrictions placed upon the land and acts as a zoning control device, and shall be approved by separate ordinance.

The required procedure for consideration and approval of the final plan shall be:



- (1) Within 60 days after approval by the Board of Trustees of the preliminary plan, the final plan and supporting data, all as required by Section XIII.L.3, shall be submitted to the Community Development Director for certification that the final plan is in conformity with these regulations and with the approved preliminary plan, including all conditions, exceptions and the like contained in the Board of Trustees' approval of the preliminary plan. If the previously approved preliminary plan has sufficient detail and conforms with the conditions of approval set forth by the Board of Trustees, as determined by the Community Development Director, then the Community Development Director may recommend that it also be approved as the final plan.
- (2) Within 30 days of receipt from the applicant of the final plan documents, the Community Development Director shall send his findings and recommendations to the Board of Trustees which shall, within 30 days, approve, refer the plan to the Plan Commission, approve with modifications, or disapprove the plan. Disapproval of the final plan shall include a clear statement of the reasons therefor. If the Board of Trustees refers the final plan to the Plan Commission, the Plan Commission shall make such review and provide the Board of Trustees with a written recommendation and findings within 30 days.
- (3) Approval of the final plan shall be set forth in ordinance form. Said ordinance shall detail with particularity all conditions, exceptions and the like and shall include as an exhibit the final plan documents or specific reference to the final plan documents.
- (4) If lands within the planned unit development are to be formally subdivided (i.e. as defined by the Village of Burr Ridge Subdivision Ordinance), adoption of the ordinance approving the final planned unit development plan shall not constitute subdivision approval. Approval of the final plat of subdivision may occur at the same time, however, if all requirements of the Subdivision Regulations Ordinance have been met.

3. **Specific Content of Plans**

Planned unit development plans and supporting data shall include all documentation listed in this Section of this Ordinance and any other data requested by the Village in order to complete its review of the project. In developing plans and specifications for all required improvements, the applicant must also conform to the standards set forth in the Village's Subdivision Regulations Ordinance or specifically state where and for what purpose the applicant wishes to be granted exceptions to those regulations.

a. **Pre-application Stage**

- (1) **General Site Information:** Data regarding site conditions, land characteristics, general land use, zoning, available community facilities and utilities, surface water drainage characteristics, existing covenants, and other related general information about land-uses within one-half (1/2) mile of the proposed site perimeter. A summary of the site data must be provided, including the percentage of the site to be occupied by buildings and structures, the percentage of the site to be occupied by parking, drives, streets and all other paved areas, and the percentage of the site which will remain open green space.



- (2) **Sketch Plan:** A scaled drawing in simple sketch form showing the proposed location and extent of the land uses, major streets, lots and other features as they are related to the site.
- (3) **Legal Description:** A property survey and legal description of the site proposed for development.

b. **Preliminary Plan Stage**

- (1) **Detailed Plan:** A drawing of the planned unit development shall be prepared at a scale not less than 1" = 50' and shall show such designations as proposed streets (public and private), all buildings and structures, their yards and their use, common open space, recreation facilities, parking areas, service areas, and other facilities to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings, and shall include:
 - (a) Boundary lines - bearings and distances.
 - (b) Easements - general location, width and purpose of proposed easements.
 - (c) Existing land-use - within 500' of all sides of the site.
 - (d) Other conditions on adjoining land - actual direction and gradient of ground slope, including any embankments or retaining walls; character and location of major buildings and structures, railroads, power lines, towers and other nearby nonresidential land-uses or adverse influences; for adjoining platted land refer to subdivision plat by name and upon request of Village, show approximate percent built up, typical lot size and dwelling type.
 - (e) Zoning on and adjacent to the tract.
 - (f) Streets on, and adjacent to, the tract - street names and right-of-way widths, walks, culverts, etc.
 - (g) Proposed public improvements - highways and other major improvements planned by public authorities for future construction on or near the tract.
 - (h) Utilities on, and adjacent to, the tract - location, size and invert elevation of sanitary and storm sewers; location and size of water mains; location of fire hydrants and street lights; direction and distance to, and size of, nearest water mains and sewers adjacent to the tract showing invert elevation of sewers.
 - (i) Ground elevations on the tract and on the first 50 feet on all adjacent tracts of land showing one (1) foot contours for land which slopes less than one-half (1/2) percent along with all breaks in grades, at all drainage channels or swales, and at selected points not more than 100 feet apart in all directions; for land that slopes more than one-half (1/2) percent showing two (2) foot contours. Any land within the 100 year floodplain, as determined by the Village Engineer, shall be shown on these drawings.



- (j) Subsurface conditions on the tract, if required by the Village Engineer - location and results of tests made to ascertain subsurface soil, rock and groundwater conditions, depth to groundwater, unless test pits are dry at a depth of five (5) feet; location and results of soil percolation test if individual sewage disposal systems are proposed.
 - (k) Other conditions on the tract - water courses, marshes, rock outcrop, identification of all wooded areas, and also including identification of each tree on the subject property (whether in "wooded areas" or isolated), eight inches (8") in diameter or greater (measured one foot above ground) and their location and species, existing buildings and structures and other significant features.
 - (l) Title information, legal description; title under which the proposed development is to be recorded, with names and addresses of current and proposed owners and developers, and notation stating acreage. Owners shall include beneficial owners of any land trust.
 - (m) Size, arrangement and location of lots, buildings, structures, or proposed building groups.
 - (n) Open space - all parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purposes indicated.
 - (o) General location, purpose and height of each building and structure, other than detached single-family residences, on individually platted lots.
 - (p) Map data - name of development, north point, scale and date of preparation.
 - (q) Miscellaneous - such additional documents as may be required by the Plan Commission or the Community Development Director. The Community Development Director shall inform the applicant of such requirements after the pre-application stage and again after the initial presentation of the preliminary plan to the Plan Commission.
- (2) **Variations:** Identification and explanation of those aspects of the proposed planned unit development that vary from the Zoning Ordinance requirements applicable to the underlying zoning district, and also from the Subdivision Regulations Ordinance of the Village.
- (3) **Character:** Explanation of the character of the planned unit development and the reasons why it has been planned to take advantage of the flexibility of these regulations. This item shall include a specific explanation of how the proposed planned unit development meets the objectives of all official plans which affect the land in question.
- (4) **Ownership:** Statement of present and proposed ownership of all land within the project including the beneficial owners of any land trusts.



- (5) **Schedule:** Development schedule indicating:
 - (a) Stages in which project will be built, with emphasis on area, density, use and public facilities, such as open space to be developed with each stage. Each stage shall be described and mapped as a unit of the project. Overall design of each unit shall be shown on the plan and through supporting graphic material.
 - (b) Dates for beginning and completion of each stage (unit).
- (6) **Market Analysis:** If requested by the Village, documentation indicating the extent of market demand for the uses proposed in the planned unit development including analysis of demographics, sales potentials, competitive alignment, assessment of market share and market positioning of each component of the planned unit development.
- (7) **Covenants:** Proposed agreements, provisions, and/or covenants which will govern the use, maintenance, and continued protection of the planned unit development and any of its common open space. Proposed condominium declarations and by-laws of condominium form of ownership if it is to be used in the planned unit development.
- (8) **Residential:** Provide information on the density of residential uses, including dwelling units per gross acre, dwelling units per net acre; gross and net residential density (dwelling units per acre of land devoted to residential sectors of the planned unit development; gross being all land, net being gross acres minus land used for public or common usage); the number of dwelling units by type, and the number of bedrooms in each dwelling unit type. Information should be provided for each unit in the planned unit development.
- (9) **Nonresidential Intensity:** Provide information on the type and amount of nonresidential uses including locations, sizes, floor area ratio, and height of all buildings and structures; the amount and location of common open space; and any other data pertinent to a comprehensive evaluation of the proposed development.
- (10) **Service Facilities:** Provide information on all service facilities, driveways, private streets, paths and off-street parking facilities.
- (11) **Architectural Plans:** Preliminary architectural plans for all primary buildings and structures shall be submitted in sufficient detail to permit an understanding of the style of the development, the design of the buildings and structures, and the number, size and type of dwelling units.
- (12) **Landscape Plan:** A detailed landscape planting plan, including location, size and type, for the site, including permanent signs and street fixtures.
- (13) **Cost-Revenue Analysis:** A study shall be prepared indicating the fiscal impact of the planned unit development on major taxing bodies, which may include but not be limited to, the school district(s), fire protection district(s), municipal corporation, library district(s), and the park district(s). Information will include detailed estimates on: expected population of the development; the operating cost to be incurred by each taxing body; any additional major capital



investments required, in part or in whole, because of the planned unit development; revenue generated for each taxing body by the planned unit development to offset fiscal problems created by the planned unit development. The study should include a cash flow analysis based on the proposed staging of the planned unit development.

- (14) **Traffic Analysis:** If requested by the Village, a study of the impact caused by the planned unit development on the street and highway systems operating in the Village will be required.
- (15) **Environmental Analysis:** If requested by the Village, the major impacts of the planned unit development on the environment shall be analyzed and shall disclose all major negative impacts. Generally, these impacts would include effects on discrete ecosystems, deteriorated air quality in the immediate vicinity and along aerial and collector highway corridors leading to the planned unit development to a distance established by the Village Engineer; any deterioration in the groundwater or surface water quality; effect on sensitive land areas as identified by the Village Board of Trustees from time to time, such as floodplains, wetlands, streams, creeks, forests, and areas with substantial tree growth, aquifer recharge areas, historic buildings or structures, prairie landscapes, and mineral resource reserves.

c. **Final Plan Stage**

A final detailed plan shall be prepared by the petitioner in substantial accordance with the approved preliminary plan. The purpose of the final plan of development is to designate with particularity the final development details and to designate and limit the specific internal uses of each building, structure, and use of land. Final plans and supporting data shall show in detail the design, location and internal use of all buildings and structures and overall land development as well as such additional information as the Village Board of Trustees or the Plan Commission may have required when approving the preliminary plan. The final plan of the planned unit development shall include the same detailed information required for the preliminary plan and other information requested by the Village. If the previously approved preliminary plan has sufficient detail and conforms with the conditions of approval set forth by the Board of Trustees, as determined by the Community Development Director, then the Community Development Director may recommend that it also be approved as the final plan.

4. **Exceptions**

a. **Use Exceptions**

The Plan Commission may recommend and the Village Board of Trustees may authorize that there be permitted in part of the area of a proposed planned unit development specified uses not otherwise permitted by the use regulations of the districts in which said development is located, provided that the Plan Commission shall find:

- (1) That the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose and character of the planned unit development.
- (2) That the uses permitted by such exception are not of such nature or so located as to exercise a detrimental influence on the neighborhoods surrounding the planned unit development, or upon



the internal character of any part of, or all of, the planned unit development, itself.

b. Bulk Exceptions

In the case of any planned unit development, the Plan Commission may recommend and the Village Board of Trustees may authorize exceptions to the applicable bulk regulations of this Ordinance within the boundaries of such planned unit development, provided that the Plan Commission shall find:

- (1) That such exception shall be solely for the purpose of promoting an integrated site plan no less beneficial to the residents or occupants of such development, as well as the neighboring property, that would be obtained under the bulk regulations of this Ordinance for buildings and structures developed on separate zoning lots;
- (2) That the overall floor area ratio for the planned unit development would not exceed by more than five (5%) percent the maximum floor area ratio which would be determined on the basis of the floor area ratio required for the individual uses in such planned unit development, as stipulated in each zoning district.

5. Bulk Regulations (Residential)

The following bulk regulations shall serve as minimum regulations for any residential planned unit development and petitioners may be required to comply with more stringent and/or different bulk regulations as determined during the approval process for any planned unit development. Bulk regulations for non-residential planned unit developments shall be established during the review of the planned unit development.

a. Lot Width and Lot Width Area

Lot width and lot area shall be as approved by the Board of Trustees after receiving the recommendations of the Plan Commission, provided:

- (1) that the lot area for single-family detached dwellings be not less than an average of 16,000 square feet and no lot shall have an area of less than 14,000 square feet, except in a cluster-type lot arrangement, the minimum lot area may be reduced;
- (2) that for single-family semi-detached and attached dwellings and multiple-family dwellings no minimum lot width or lot area may be required; and
- (3) that for other permitted and special uses allowed the lot areas and lot widths shall be as required in the R-1 District.

b. Floor Area Ratio

- (1) Single-family detached dwellings - 0.20 unless otherwise approved by the Board of Trustees after receiving the recommendation of the Plan Commission.
- (2) Single-family semi-detached and attached dwellings, and multiple-family dwellings not to exceed 0.50.
- (3) Other permitted or special uses - as in the R-1 District.



c. Yards

Along the periphery of such planned unit developments front, side and rear yards shall be provided as required by the regulations of the district in which said development is located.

All yards for single family detached dwellings not located along the periphery of a planned unit development shall be as approved by the Corporate Authorities after receipt of the recommendation of the Plan Commission, and if no specific approval is given, such yards shall be provided as required by the regulations of the District in which said development (or portion thereof) is located.

For other residential uses, minimum yards shall be provided in compliance with the following:

		<u>Front Yard</u>	<u>Interior Corner Side Yard</u>	<u>Rear Side Yard</u>	<u>Yard</u>
(1)	Single-family clustered dwellings	40 ft	10 ft*	40 ft	30 ft
(2)	Single-family semi-detached, attached and multiple-family dwellings	30 ft	15 ft	30 ft	30 ft

(3) *Interior side yards for single-family clustered dwellings on interior lots may be less than 10 feet provided the side yards shall have a combined width of 10 feet and the separation between buildings on adjoining lots shall be 10 feet.

(4) *The interior side yard for single-family clustered dwellings on corners lots may be eliminated provided the minimum separation from buildings on adjoining lots shall be 10 feet.

(5) In addition to setbacks from property lines, the minimum yard requirements for single-family attached and multiple-family dwellings shall be provided around the perimeter of each building. The yard requirements for a principal building shall not encroach into the yard requirements for any other principal building.

(6) All permitted uses not listed above shall comply with the setback requirements of the R-1 Single-Family Residence District.

d. Building Height

Not more than two and one-half stories or 30 feet, whichever is lower.

e. Dwelling Unit Floor Area

The minimum floor area in square feet of single-family semi-detached, single-family attached and multiple-family dwelling units, excluding garages, balconies, basements, utility rooms, and areas common to the



operation and maintenance of the entire building shall be 900 square feet except dwelling units containing more than one bedroom shall be as follows:

- (1) two-bedroom dwelling units - 1,200 square feet
- (2) three-bedroom dwelling units - 1,600 square feet
- (3) units with over three bedrooms - 300 additional square feet for each bedroom

f. Off-Street Parking and Off-Street Loading

In accordance with regulations herein set forth in Section XI.

6. Designation of Permanent Common Open Space

- a. **Definition:** Permanent common open space shall be defined as parks, playgrounds, landscaped green space not immediately adjacent to residential uses, schools, community centers or other similar areas in public ownership or areas covered by an open space easement.
- b. **Designation:** No plan for a planned unit development shall be approved, unless such plan provides for permanent common open space equivalent to at least ten percent (10%) of the total development area in the planned unit development unless the planned unit development regulations for the specific zoning district classification provide otherwise.
- c. **Location and Dimensions:** Permanent common open space shall be at least 20 feet away from any building walk and shall have a minimum dimension of 50 feet; provided, however, where buildings or structures are not parallel to each other, the required spacing shall be measured at the mid-point of the distance along which they face each other, however, the spacing between the buildings and structures at the narrowest point shall be no less than one-half the required distance.
- d. **Use:** Permanent common open space shall be used for passive and active types of recreation conducted only for the residents of the planned unit development or members of a not-for-profit recreation club or be dedicated to a public body for use as a park site, as approved by the Village.
- e. **Buildings or Structures:** Permanent common open space shall have not more than five percent of the area of such open space devoted to buildings or structures for recreational uses, or for accessory uses for such buildings or structures including open or enclosed parking area, unless otherwise approved by the Village.

7. Findings of Fact

In reporting its findings and recommendations on a planned unit development preliminary plan to the Village Board of Trustees, the Plan Commission will submit findings of facts upon which it has based its recommended action. These findings of fact will relate to the specific proposal and shall set forth with particularity in what respects the proposal would or would not be in the public interest, including, but not limited to, findings of fact on the following:

- a. In what respects the proposed plan is or is not consistent with the stated purpose of the planned unit development regulations.
- b. The extent to which the proposed plan meets the requirements and standards



of the planned unit development regulations.

- c. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, area, bulk, and use, required improvements, construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.
- d. The extent of public benefit produced, or not produced, by the planned unit development in terms of meeting the planning objectives and standards of the Village. Any specific beneficial actions, plans or programs agreed to in the planned unit development proposal which are clearly beyond the minimum requirements of this Ordinance shall be specifically listed as evidence of justified bulk premiums and/or use exceptions.
- e. The physical design of the proposed plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, open space and further the amenities of light and air, recreation and visual enjoyment.
- f. The relationship and compatibility, beneficial or adverse, of the proposed plan to the adjacent properties and neighborhood.
- g. The desirability of the proposed plan to the Village's physical development, tax base and economic well-being.
- h. The conformity with the recommendations of the Official Comprehensive Plan as amended, and all other official plans and planning policies of the Village of Burr Ridge.
- i. Conformity with the standards set forth in Section XIII.L.7 of this Ordinance.

8. Changes in the Planned Unit Development

A planned unit development shall be developed only according to the approved or recorded final plan and all supporting data. The approved final plan and supporting data, together with all approved amendments, shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of premises (including the internal use of buildings and structures) and location of buildings and structures in the planned unit development, as set forth therein.

If the developer or owner of land affected by the planned unit development wishes to deviate from the approved plans, a written request shall be filed with the Community Development Director setting forth in detail the changes requested, accompanied by site plans clearly indicating the scope of the changes.

The Community Development Director shall make a written determination of the nature of the proposed changes, including whether they are minor or major changes as herein set forth.

a. Major Changes

Major changes may be approved only by submission of a new application with a new preliminary plan and supporting data, and following the "preliminary approval" steps, holding of a new public hearing by the Plan Commission and subsequent amendment of the final planned unit development plan by final action of the Village Board of Trustees.

Major changes are those which alter the concept or intent of the planned unit



development, including but not limited to increases in the density; increases in the height of buildings or structures; internal use of buildings and structures; reductions of proposed open space; a proposed change in the proportion of housing types; changes in standards of or alignment of roads, utilities, water, electricity, and drainage; or changes in the final governing ordinance.

b. Minor Changes

The Plan Commission may, after review and consideration of minor changes which do not change the concept or intent of the development, recommend to the Village Board of Trustees such minor changes in the planned unit development as it deems appropriate without the requirement for further public hearings and without going through the "preliminary approval" steps, and the Village Board of Trustees shall then make such decision on the proposed minor change as it deems appropriate. There is no specific right to any such modifications and, therefore, the decision of the Village Board of Trustees shall be final. If the decision is to approve any such minor change, the applicant shall be bound to develop the planned unit development in accordance with such decision and the modified site plan and any modifications to the conditions and guarantees which the Village Board of Trustees shall require. Minor changes shall be any change other than a major change.



BURR RIDGE ZONING ORDINANCE

SECTION XIV RULES AND DEFINITIONS

A. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction unless they are inconsistent with the manifest intent of the Board of Trustees of the Village of Burr Ridge or the context clearly requires otherwise:

1. Words used in the present tense shall include the past and the future tense.
2. Words used in the singular number shall include the plural number, and the plural the singular.
3. The word "shall" is mandatory and not discretionary.
4. The word "may" is permissive.
5. The masculine gender includes the feminine and neuter.
6. The word "person" shall include a firm, proprietorship, joint venture, association, agent, organization, partnership, trust, company or corporation, and any other form of legal entity, as well as an individual, so that where the word "person" is used it is clear that any entity which would be subject to the Zoning Ordinance would be defined as a person.
7. All "measured distances" shall be to the nearest foot. If a fraction is one-half foot or more, the full foot next above shall be taken. Unless otherwise specified, all distances shall be measured horizontally.
8. The word "building" includes all other structures of every kind regardless of similarity to buildings.
9. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

B. DEFINITIONS

In further amplification and for clarity of interpretation of the context of this Ordinance, the following words and terms shall have the meaning set forth herein. Words contained in this Ordinance and not defined hereinafter shall assume such definitions as prescribed in the most recent edition of Webster's unabridged dictionary which apply in the context in which they are used herein.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

ACCESSORY BUILDING OR USE: An accessory building, structure or use is one which:

1. Is clearly incidental to, subordinate in purpose to, and serves the principal building or use.



2. Is subordinate in building area, intensity of use or purpose to the principal building or principal use served.
3. Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served.
4. Is located on the same zoning lot as the principal building or principal use served, except as may be specifically provided for elsewhere in this Ordinance or by separate Ordinance.

ADJACENT: The terms adjacent and contiguous are used as synonymous terms, and mean parcels of land in contact with or touching another parcel of land, in contradistinction to lying across a street or alley therefrom.

AGRICULTURE: The use of land for agricultural purposes, including farming, pasturage, agriculture, horticulture, floriculture, viticulture, and the necessary accessory uses for parking and for treating or storing the produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. Agriculture shall not include the raising of hogs, pigs or other livestock which are fed from garbage or offal.

ALLEY: A public or private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose principal frontage is on a street or streets.

AMENDMENT: Any addition to, deletion from, or change in this Ordinance, including text amendments and/or map amendments (commonly referred to as rezonings). See Section XIII for amendment requirements and procedures.

AMUSEMENT DEVICE: Any machine, game, table or device which is designed, intended or used as entertainment, and may be operated by the public upon the insertion of a coin, slug, token, plate or disc, or the use of which is made available for any valuable consideration and is not considered a gambling device under Illinois law. Amusement device shall include, but not be limited to, devices commonly known as pinball machines, pool tables, video games, electronic games, kiddie rides, mini-theater projection devices and video screens, and all games or operations similar thereto, or which are commonly found in "game rooms" and arcades, whether or not registering a score under whatever name they may be indicated. Not included within the definition of amusement device are such devices as food, soft drink and cigarette vending machines.

ANIMAL HOSPITAL: Any building or portion thereof designed or used for the medical care, observation or treatment of domestic animals.

ANIMALS, HOUSEHOLD DOMESTIC: Animals that are customarily kept for personal use or enjoyment within the home and as defined by Chapter 6 of the Burr Ridge Municipal Code. (Amended by Ordinance A-834-8-00)

ANTENNA: Any exterior apparatus or apparatuses at a fixed location designed for telephonic, radio, data, Internet, or other communications through the sending and/or receiving of electromagnetic waves, including equipment attached to a tower or building for the purpose of providing personal wireless services as defined herein. (Added by Ordinance A-834-9-97)

ANTENNA HEIGHT: The vertical distance measured from the lowest grade level within five feet of the base of an antenna support structure to the highest point of the structure even if said highest point is an antenna. Added by Ordinance A-834-9-97

APPEAL: A contention that the Community Development Director or other authorized official has misinterpreted or incorrectly applied a provision of this Ordinance. See Section XIII for appeal requirements and procedures.



ARCADE: Any establishment containing more than two amusement devices operated on the premises for the amusement of the general public.

ATTIC: The space between the ceiling beams of a top habitable story and the roof rafters excluding any space defined as a half-story or a story. (Amended by Ord. A-834-4-02)

AUTOMOBILE SERVICE STATION: Any building, structure, or land used for dispensing or offering for sale of automotive fuels or oils having pumps and underground storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within a building. When dispensing, sale or offering for sale of any fuels or oils is incidental to the conduct of automobile repairs, the premises shall be classified as an automotive repair establishment. Automobile service stations shall not include the sales or storage (new or used) of automobiles, trailers or other vehicles, but may include convenience food stores when specifically approved.

AUTOMOTIVE REPAIR: The general repair, engine rebuilding or reconditioning of automobiles, collision service such as body, frame and fender straightening and repair, and painting of automobiles.

AWNING: Any roof-like cover which projects from the wall of a building or structure and which is so erected as to permit its being raised to a position against the building or structure when not in use.

BASEMENT: That portion of a building below the first ground floor level, but having 4.5 feet or more of its floor to clear ceiling height above the average grade of the adjoining ground. (Amended by Ord. A-834-4-02)

BERM: A man-made hill or contour of land that acts as a landscaping or grading feature or that is intended as a visual and/or sound barrier between a lot and adjacent properties, alleys or streets.

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, other permanent open areas, alleys, or other lines or demarcation such as railroad rights-of-way and shorelines of waterways. A block may be located in part beyond the boundary lines of the corporate limits of the Village of Burr Ridge.

BOARD OF TRUSTEES: The President and Board of Trustees of the Village of Burr Ridge.

BUILDABLE AREA: The area of the lot remaining after compliance with the minimum open space and/or yard requirements of this Ordinance.

BUILDING: Any structure permanently affixed to the land which is built, used, designed, or intended for the support, shelter, protection, or enclosure of persons, animals, chattels or property of any kind. When a building is divided into separate parts by unpierced fire or party walls extending continuously from the ground through all stories to and above the roof, each part shall be deemed a separate building.

BUILDING, COMPLETELY ENCLOSED: A building separated on all sides from the adjoining open spaces by a permanent roof and by exterior walls, pierced only by windows and normal entrance and exit doors; or, when adjoining another building or buildings on one or two sides, a roof and such exterior wall adjoining open space and party wall adjoining the other building.

BUILDING, DETACHED: A building entirely surrounded by open space on the same lot.

BUILDING HEIGHT: The vertical distance from the average top of foundation or the



average of the brick ledge whichever is lower in the elevation facing the front lot line to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs. (Amended by Ordinance A-834-10-06)

BUILDING, PRINCIPAL: A non-accessory building in which the primary use of the lot on which the building is located is conducted.

BUILDING, TEMPORARY: Any building not designed to be permanently located, placed, or affixed to the place where it is intended to be placed.

BULK: The term used to indicate the size and setbacks of buildings or structures and the location of same with respect to one another, and includes:

1. Size or area and height of buildings and structures;
2. Location of exterior walls at all levels in relation to lot lines, streets or other buildings;
3. Gross floor area of buildings and structures in relation to lot area (floor area ratio);
4. All open spaces allocated to buildings and structures; and
5. Amount of lot area and lot width provided for each dwelling unit.

CANOPY: A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground or side of the building and erected primarily to provide shelter from the weather, but also sometimes serving as an architectural feature.

CARPORT: A roofed automobile shelter, with at least two open sides, usually formed by extension of the roof from the side of a building.

CAR WASH: A building, structure, or portion thereof, with machine- or hand-operated facilities used principally for the cleaning, washing, polishing or waxing of automobiles.

CEILING: The overhead inside lining of a room.

CELLAR: That portion of a building below the first ground floor level having less than 4.5 feet of its floor to clear ceiling height above the average grade of the adjoining ground. A cellar is not included in computing the number of stories for the purpose of height measurement.

CHILD CARE CENTER: An institution or place in which are received three or more children, not of common parentage, apart from their parents or guardian, for part of all of a day, but not later than 9:00 p.m. The term "child care center" includes but is not limited to the following: nursery schools, child care centers, day nurseries, kindergartens and play groups, but does not include bona fide kindergartens or nursery schools operated by public or private elementary or secondary school systems.

CLINIC, MEDICAL, DENTAL AND OPTICAL: A building or portion thereof containing one or more individual practitioners or associations or groups of physicians, dentists, ophthalmologists, or similar professional health care practitioners, including nurses and assistants. The clinic may include accessory laboratory facilities, but shall not include inpatient care or operating rooms for major surgery.

CLUBS OR LODGES, PRIVATE, FRATERNAL OR RELIGIOUS: A group or association of persons who are bonafide members paying dues, and which owns, hires, or leases a building or portion thereof, the use of such premises being restricted to members and their guests, the affairs and management of which (not primarily for profit or to render a



service that is customarily carried on as a business) are conducted by a board of directors, executive committee, or similar body chosen by the members. The sale or service of food and alcoholic beverages to members and their guests shall be permitted, provided it is secondary and incidental to the principal use of promoting some other common objective of the organization and provided further that there is compliance with all other federal, state and local regulations governing food service and alcoholic beverages.

CONTIGUOUS: The terms contiguous and adjacent are used as synonymous terms, and mean parcels of land in contact with or touching another parcel of land, in contradistinction to lying across a street or alley therefrom.

CONVALESCENT, NURSING OR REST HOME: An establishment for the care of the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of disease or injury, maternity patients or mental illness.

CONVENIENCE FOOD STORE: A retail establishment designed for convenience and accessibility and offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 7000 square feet.

COURT: An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

CURB LEVEL: Curb level is either:

1. The established level of the curb pavement edging, along the front lot line and at a point directly in front of the center line of the building wall facing the front lot line; or
2. If a curb pavement edging does not exist, the established level along the center line of the roadway pavement at a point directly in front of the center line of the building wall facing the front lot line; or
3. In cases of exceptional differences in grade elevations between lot corners or within the area of a lot, as determined by the Community Development Director, the established curb level may be the average elevation of the finished ground grades at the building foundation walls even though such average elevation is higher than such established level of the curb pavement edging, or center line of the roadway pavement.

DAY CARE CENTER: See Child Care Center

DECIBEL: A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels".

DENSITY, GROSS: The numerical value obtained by dividing the total number of dwelling units in a development by the gross area (in acres) within the development. The result is the number of dwelling units per gross acre of land.

DISTRICT: A portion of the corporate area of the Village, within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this Ordinance.

DRIVE-IN OR DRIVE-THRU ESTABLISHMENT: Any place or business operated for the sale and purchase at retail of food and other goods, or the tendering of services, which



facility is designed and equipped so as to allow its patrons to be served or accommodated while remaining in their motor vehicles.

DWELLING: A building, or portion thereof, designed or used exclusively for residential occupancy (including home occupations allowed under this Ordinance), including single-family dwellings, two-family dwellings, semi-detached and attached dwellings, multiple family dwellings and townhouses, but not including mobile or motor homes, hotels, motels or lodging houses.

DWELLING, ATTACHED: A dwelling joined to two other dwellings by party walls, or vertical cavity walls, and above-ground physically unifying horizontal structural elements.

DWELLING, CLUSTER SINGLE-FAMILY: A residential building containing not more than one dwelling unit which is entirely surrounded by open space. As opposed to a development of single-family detached dwelling units, a development of cluster single-family dwellings concentrates buildings on lots which may be no larger than the footprint of each dwelling in specific areas on a site in order to allow the remaining land separating dwellings and/or clusters of dwellings to be used for recreation, common open space and preservation of environmentally sensitive areas.

DWELLING, DETACHED: A residential building containing not more than one dwelling unit which is entirely surrounded by open space on the same lot.

DWELLING, MULTIPLE-FAMILY: A residential building, or portion thereof, containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A residential building containing not more than one (1) dwelling unit only.

DWELLING, SEMI-DETACHED: A dwelling joined to one other dwelling by a party wall, or vertical cavity wall, and above-ground physically unifying horizontal structural elements.

DWELLING, TWO-FAMILY: A building consisting of two (2) dwelling units only, one above the other.

DWELLING UNIT: Any room or group of rooms located within a building, which are arranged, designed, used or intended for use exclusively as living quarters for one (1) family, and which shall include permanently installed complete kitchen and bath facilities.

DWELLING UNIT, ACCESSORY: A dwelling unit within a principal or accessory building, used or intended for use by domestic servants of the family occupying the principal dwelling or employees and other persons authorized to reside on the premises of a non-residential use. Such dwelling unit that is accessory to a principal dwelling shall not be otherwise used as a separate dwelling unit. The term accessory dwelling unit also includes a guest house.

EASEMENT: Land or an interest in land which has been designated by lawful agreement between the owner or owners of the land and another person or persons for a specified use only by such person or persons, including, but not limited to, municipal uses and private and public utility purposes and cable television.

EFFICIENCY UNIT: A dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off of the principal room, provided such dining alcove does not exceed 125 square feet in area.

ELECTRIC DISTRIBUTION CENTER: A terminal at which electric energy is received from the transmission system and is delivered to the distribution system only.



ELECTRIC SUBSTATION: A terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally, to the local distribution system.

ENGINEER, VILLAGE: The person or firm duly appointed and designated by the Village as the Village Engineer.

ESTABLISHMENT, BUSINESS: A building, structure or land used in whole or in part as a place of business, the ownership or management of which is separate and distinct from the ownership or management of any other place of business located on the same or any adjoining lot.

FAMILY: Two or more persons related by blood, marriage, or legal adoption living together as a single housekeeping unit within a dwelling unit, including foster children, domestic servants, and not more than two guests or roomers. The word "family" shall also include not more than five (5) unrelated persons living together as a single housekeeping unit.

FENCE: A structure which is a barrier and is used as a boundary or means of protection or confinement, which is made of manufactured material.

FENCE, OPEN: 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.

FENCE, SOLID: Any fence which is not an open fence.

FLOOD PLAIN AREA: Land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation, as defined in Chapter 7 of the Burr Ridge Municipal Code.

FLOODWAY: The channel of a river or other watercourse and adjacent land required to store and convey the base or 100-year frequency flood in the manner set forth in Chapter 7 of the Burr Ridge Municipal Code.

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building or structure, measured from the exterior faces of the exterior walls, or from the center line of walls separating two buildings or structures. (Amended by Ord. A-834-4-02)

FLOOR AREA FOR DETERMINING OFF-STREET PARKING AND OFF STREET LOADING REQUIREMENTS: The sum of the gross horizontal area of the several floors of the building or structure, or portion thereof, as measured from the exterior faces of exterior walls, including accessory storage areas located within selling or working space such as counters, racks or closets, and any floor area devoted to retailing activities, to the production or processing of goods or to business or professional offices. However, "floor area" for the purposes of measurement for off-street parking and loading requirements shall not include: floor area devoted primarily to storage purposes (except as otherwise noted herein); floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space; or mechanical or storage floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

FLOOR AREA RATIO (FAR): The floor area of the building or buildings on a lot divided by the area of such lot, or, in the case of planned developments, by the net site area. The "floor area ratio" requirements as set forth under each zoning district shall determine the maximum floor area allowable for the building or buildings.



FREQUENCY: The number of oscillations per second in a sound wave and an index of the pitch of the resulting sound.

FRONTAGE: The length of all the property fronting on a street or streets (private or public) measured along the line of the street, or, if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

FRONTAGE, ZONING LOT: The length of all the property of such lot fronting on a street or streets (private or public), measured between side or rear lot lines along the line of the street.

GARAGE, PRIVATE: A detached accessory building, structure, or portion of a main building housing the motor vehicles of the occupants of the premises and in which no occupation or business for profit is conducted.

GROUND FLOOR AREA: The lot area covered by a building or structure, measured from the exterior faces of exterior walls, but excluding open terraces and carports.

GUEST, PERMANENT: A person who occupies or has the right to occupy a hotel or motel or apartment hotel accommodation as his domicile and place of permanent residence.

HEDGE: A row or fence of bushes or shrubs.

HELIPORT: A landing area used for the landing and taking off of helicopters, including all necessary passenger and cargo facilities, fueling and emergency service facilities.

HOME OCCUPATION: An occupation, profession, activity or use engaged in by the occupant of a dwelling which is clearly an incidental and secondary use of a residential dwelling unit for dwelling purposes and complies with the requirements for Home Occupations contained in Section IV.R of this Ordinance.

HOSPITAL: A medical institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment and care of individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions.

HOTEL OR MOTEL: An establishment which is open to transient guests, in contradistinction to a boarding, rooming or lodging house, and which provides customary hotel or motel services such as maid services, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service. Not more than 5% of the accommodations in a hotel may be in dwelling units occupied or intended for occupancy by permanent guests.

IMPERMEABLE SURFACE: A surface which does not allow water to be absorbed so it may percolate into deeper ground. Such surfaces are those constructed of portland concrete, bituminous concrete (asphalt), composed stone or gravel, or any other surface that allows little or no water penetration.

INDUSTRIAL PARK: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and service in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations or government organizations.

JUNK (or SALVAGE) YARD: An open area where waste or scrap materials are bought, sold, exchanged, stored, baled packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, damaged vehicles not to be restored, paper, rags, rubber tires, and bottles. A "junk or salvage yard" includes an auto wrecking yard, used lumber yards and places or yards for storage of salvaged structural steel materials and equipment.



KENNEL: Any premises or portion thereof on which more than three dogs, cats, or other household domestic animals over six months of age are kept, or on which more than two such animals are maintained, boarded, trained, groomed, bred, or cared for in return for remuneration, or are kept for the purpose of sale. Any premise of five acres or more in area used for a single-family detached dwelling, agricultural, institutional or recreational use where more than three such domestic animals owned by the occupant of the principal use are kept, bred and offered for sale shall not be considered a kennel.

LABORATORY: A place devoted to experimental study such as testing and analyzing. Manufacturing and sale of product or products is not permitted within a laboratory.

LAUNDERETTE: A business that provides coin operated self-service machines for use by customers on the premises to wash, dry and/or iron clothing, provided that no pick-up or delivery service is maintained.

LIVESTOCK: Horses, ponies, donkeys, sheep, goats and cattle.

LIQUOR STORE, PACKAGE: A business establishment where alcoholic beverages are kept and sold in their original containers and where such alcoholic beverages are not consumed on the premises.

LOADING BERTH: A space within the principal building or on the same lot as the principal building providing for the standing, loading or unloading of trucks and vans and with access to a street or alley.

LODGING HOUSE (including BOARDING and ROOMING HOUSE): A residential building, or portion thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which accommodate three or more persons who are not members of the keeper's family and where lodging, with or without meals, is provided for compensation on a weekly or monthly basis.

LODGING ROOM (ROOMING UNIT): A room rented as sleeping and living quarters, but without cooking facilities, and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

LOT: A single parcel of land which is legally described and recorded as such, or which is one of two or more numbered lots or parts of such lots legally described and recorded as a part of a recorded subdivision plat, and, in any case, is located within a single block (regardless of whether or not the "block" is recorded as such) and has its principal frontage on a street or an easement or other common-use right-of-way. No parcel shall be considered a lot, even though it is called or designated a lot, if it does not have a lot line which abuts a street for a distance of greater than fifty percent (50%) of the lot width. A lot is also one of two or more contiguous lots or parts of lots of record comprising the tract of land which is designated by the owner at the time of application for a building permit as the site to be used, developed, or built upon as a unit under single ownership or control. Therefore, a lot may or may not coincide with a single lot of record. The term "lot" shall also include any parcel of land under single ownership even though it is not recorded as a subdivided lot, including any parcels that result from a tax division of any land.

LOT AREA, GROSS: The area of a horizontal plane bounded by the front, side and rear lot lines.

LOT, CORNER: A lot which has at least two sides abutting for their full lengths upon streets, provided that the interior angle at the intersection of such two sides is less than 135 degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot or at the points of intersection



of the side lot lines with the street line intersect at an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the corner. In the case of a corner lot with a curved street line, the corner is that point on the street lot line nearest to the point of intersection of the tangents above described. A lot abutting a cul-de-sac turnaround shall not be considered a corner lot even if the curve of the turnaround complies with the terms of this definition.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

LOT, INTERIOR: A lot which is any lot other than a corner lot or a reversed corner lot.

LOT LINES: The property lines bounding the lot.

LOT LINE, FRONT: That boundary of a lot which is along an existing or dedicated public street or, where no public street exists, is along a public way. On a corner lot, the lot line having the shortest length abutting a street shall be the front lot line for the purposes of establishing front and corner side yard setbacks.

LOT LINE, INTERIOR: A lot line which does not abut a street right-of-way line.

LOT LINE, REAR: That boundary of a lot which is most distant from, and is, or is most nearly, parallel to the front lot line. In the case of a triangular or pie-shaped lot where the two side lot lines come together opposite the front lot line, a line not less than ten feet in length within the lot, which is parallel to and at the maximum distance from the front lot line. (Amended by Ordinance A-834-8-00)

LOT LINE, SIDE: Any boundary of a lot which is not a front lot line or a rear lot line.

LOT OF RECORD: A single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Cook or DuPage County, Illinois, or which has been registered in the Torrens land title system with the Registrar of Deeds in Cook County, Illinois; or a single parcel of land, the deed to which was recorded in the office of said Recorder of Deeds prior to the adoption of this 1996 Comprehensive Amendment. (See Section IV.D)

LOT, REVERSED CORNER: A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

LOT, THROUGH: A lot having a pair of opposite lot lines along two more or less parallel public streets, and which is not a corner lot. On a "through lot" both street lines shall be deemed front lot lines and front yards shall be provided as required, except as otherwise provided in Section IV.G.2.a.

LOT WIDTH: The minimum horizontal distance between the side lot lines of a lot measured at the narrowest width within the first thirty (30) feet immediately in back of the required front yard line as established herein. For a lot with a curvilinear front lot line, the lot width shall be measured on a straight line tangent to the required setback line.

LOT, ZONING: A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record. Furthermore, the designation by the owner or developer shall not be conclusive as to whether the zoning lot is buildable or otherwise approved.

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.



MARQUEE: A roof-like structure of a permanent nature which projects from the wall of a building.

MEZZANINE: An intermediate story between the floor and ceiling of a main story and extending over only part of the main floor.

MOBILE HOME: A structure designed for permanent habitation, and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent locations, at which it is intended to be a permanent home and designed to permit the occupancy thereof as a dwelling place for one or more persons. Even if the structure is placed on a permanent foundation, with wheels, tongue, hitch and axle or lug bolts permanently removed, it shall be construed as a mobile home.

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.

MOTOR VEHICLE: Any passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

NO-ACCESS STRIP: A strip of land along the rear lot line, adjoining a thoroughfare right-of-way, of a through lot, and which is designated on a recorded subdivision plat or property deed as land over which motor vehicular travel shall not be permitted.

NOXIOUS MATTER OR MATERIAL: Matter or material which is capable of causing injury or illness to living organisms, or is capable of causing detrimental effects to the health or the psychological, social or economic well-being of humans.

OCTAVE BAND: A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

ODOROUS MATTER: Any matter or material that yields an odor which is detectable by humans.

OFF-STREET PARKING AREA OR LOT: Land which is improved and used or a structure which is designed and used for the parking or storage of motor vehicles, including motorized construction equipment and machinery, either as accessory off-street parking spaces or as a principal (commercial) use when permitted herein by the applicable district regulations in any zoning district.

OPEN AREA: That area of a lot, or tract that is not covered by a building or structure.

OPEN SPACE, COMMON: Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development.

OPEN SALES LOT: Land used or occupied for the purpose of buying, selling or renting merchandise, including but not limited to motor vehicles, stored or displayed out-of-doors prior to sale.

PARKING SPACE: An enclosed or unenclosed surface area permanently reserved for the temporary parking or storage of one automobile and appropriately connected with a street or alley by a surfaced driveway affording adequate ingress and egress. Such space and the ingress and egress shall meet all requirements of this ordinance.



PARTICULATE MATTER: Material which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or a solid at atmospheric temperature and pressure.

PARTY WALL: An interior wall of adjoining buildings extending from its footing below grade to the underside of the roof, which divides and is in common use by such adjoining buildings.

PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES: As defined in Title 47, United States Code, Section 332 (c) (7) (C) as amended now or in the future. Added by Ordinance A-834-9-97

PHILANTHROPIC INSTITUTION: A legal entity, building, structure and/or facilities devoted to the betterment and/or improvement of community life, including but not limited to such institutions as the YMCA, YWCA, boys and girls clubs, and educations and charitable foundations.

PLANNED UNIT DEVELOPMENT: Land or contiguous parcels of land of a size sufficient to create its own environment, controlled prior to its development by a single landowner or by a group of landowners in common agreement as to control, to be developed as a single entity, the environment of which is compatible with adjacent land, and the intent of the zoning district or districts in which it is located; the developer or developers may be granted relief from specific land use regulations and design standards and may be awarded certain premiums in return for assurances of an overall quality of development, including any specific features which will be of exceptional benefit to the community as a whole.

RESERVOIR PARKING or RESERVOIR SPACES: Off-street parking spaces allocated to temporary standing of automobiles awaiting entrance to a particular establishment.

RESIDENTIAL: The use of land or buildings for dwelling purposes.

RESTAURANT: An establishment that serves unpackaged food and beverages in individual servings, or in nondisposable containers to customers who consume these foods while seated within the building.

RESTAURANT, DRIVE-IN: See DRIVE-IN OR DRIVE-THRU ESTABLISHMENT and also RESTAURANT, FAST-FOOD

RESTAURANT, FAST-FOOD: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where either: 1) the foods, frozen desserts, or beverages are usually served in paper, plastic or other disposable containers, and where customers are usually not served their food, frozen deserts, or beverages by a restaurant employee at the same table or counter where the items are consumed; or 2) the establishment includes a drive-in or drive-thru service facility or offers curb service.

REST HOME: See CONVALESCENT, NURSING OR REST HOME.

RINGELMANN CHART: The chart described in the U.S. Bureau of Mines Information Circular 8333, as may be from time to time amended or replaced, and on which are illustrated graduated shades of gray for use in estimating the light-obscuring capacity of smoke density.

RINGELMANN NUMBER: The number of the area on the Ringelmann Chart that coincides most nearly with the visual density of emission or the light-obscuring capacity of smoke.



ROADSIDE STAND (FARM STAND): A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

ROADWAY (RIGHT-OF-WAY): A strip of land which is a public right-of-way, with unencumbered fee simple title in the Village or other appropriate public entity or with a permanent roadway easement or easement by prescription, which affords primary means of access by pedestrians and vehicles to abutting properties.

ROOMING UNIT: See LODGING ROOM.

SATELLITE DISH, NON-COMMERCIAL EARTH: Any TV antenna which is designed for receiving television or radio signals from satellites or other sources.

SCREENING: A structure erected or vegetation planted for the purpose of concealing from view the area behind it.

SETBACK: The minimum horizontal distance between a lot or property line and the nearest front, side or rear yard line.

SEXUALLY ORIENTED BUSINESS: An adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, massage parlor, sexual encounter establishment, escort agency, or semi-nude or nude model studio as adopted and set forth in Chapter 9 of the Burr Ridge Village Code. (Amended by Ordinance A-834-13-06)

SHOPPING CENTER: A group of commercial establishments on a single site with common parking facilities, planned, developed and managed as a unit related in location, size and type of shops to the trade area that the unit serves.

SHRUBBERY: The linear planting or growth of several-stemmed woody plants.

SIGN: Every name, identification, description, announcement, declaration, demonstration, display, flag, illustration or insignia, and the structure displaying or supporting any of the same, affixed directly or indirectly to or upon any building or outdoor structure, or erected or maintained upon land, including billboards, ground signs, wall signs, roof signs, illuminated signs, projecting signs, temporary signs, marquees, awnings, canopies and street clocks, which directs attention to an object, product, place, activity, person, institution, organization or business when placed out of doors in view of the general public (See Chapter 55 [Signs] of the Burr Ridge Municipal Code).

SMOKE: The visible discharge from a chimney, stack, vent, exhaust, or combustion process which is made up of particulate matter.

SMOKE UNIT: The number obtained when the smoke density in the Ringelmann Number is multiplied by the time of emission in minutes. For the purpose of this calculation: (a) a Ringelmann density reading shall be made at least once a minute during the period of observation; (b) each reading is then multiplied by the time in minutes during which it is observed; and (c) the various products are then added together to give the total number of smoke units observed during the entire observation period.

SOUND LEVEL: The intensity of sound of an operation or use as measured in decibels.

SOUND LEVEL METER: An instrument standardized by the American Standards Association for measurement of the intensity of sound.

SPECIAL USE: A use, either public or private, which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district or



districts. After due consideration, in each case, of the impact of such use at the particular location, such special use may or not be granted, subject to the terms of this Ordinance.

STORY: That part of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above, and if there be no floor above, then the ceiling above. The floor of a story may have split levels, provided that there are not more than four feet difference in elevation between the different levels of the floor. A basement shall be counted as a story and a mezzanine floor shall be counted as a story when it covers over one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more.

STORY, HALF: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four and one-half feet above the finished floor of the story immediately below, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family occupying the floor immediately below it, shall be deemed a full story.

STREET: The paved area of a public right-of-way, with unencumbered fee simple title in the Village or other appropriate public entity or with a permanent roadway easement or easement by prescription, which affords primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, lane, throughway, or however otherwise designated. A street does not include a driveway to a building.

STREET LINE: The street right-of-way line abutting a property line of a lot.

STRUCTURE: Anything which is constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.

STRUCTURAL ALTERATION: Any change, other than incidental repairs, which would prolong the life of the supporting members of a building or structure, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundation.

TAVERN (COCKTAIL LOUNGE): An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks may be available for consumption on the premises.

TENT: Any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

THREE-COMPONENT MEASURING SYSTEM: A complement of instruments or seismographs which can record, simultaneously, vibration vectors in three mutually-perpendicular directions.

THRESHOLD LIMIT VALUE (TLV): The maximum allowable concentration permitted an industrial worker for eight hours exposure per day, five days a week, as adopted by the American Conference of Governmental Industrial Hygienists.

TOWER, FREESTANDING: A structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term encompasses personal wireless service facilities, radio transmission towers, microwave towers, common-carrier towers, cellular telephone towers or personal communications services towers, alternative tower structures, and similar structures. Added by Ordinance A-834-9-97

TOWNHOUSE: See DWELLING, ATTACHED and DWELLING, SEMI-DETACHED.



TOXIC MATTER OR MATERIAL: Any substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property when emitted in any amount, is potentially injurious to plants, animals or human being.

TRAILER: A movable or portable unit to be towed on its own chassis and which is used for recreational or temporary office or lodging purposes, and is not designed for permanent or long-term residence.

USE: The purpose or activity for which the land, and buildings and structures thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY: See ACCESSORY BUILDING OR USE.

USE, LAWFUL: The use of any building, structure, or land that conforms with all of the regulations of this Ordinance or any amendment hereto and which conforms with all of the codes, ordinances and other legal requirements existing at the time of the enactment of this Ordinance or any amendment thereto, for the building, structure or land.

USE, PERMITTED: Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and, when applicable, performance standards of this Ordinance for the district in which such use is located.

USE, PRINCIPAL: The main use of land, buildings, or structures as distinguished from a subordinate or accessory use. A "principal use" may be a "permitted use" or a "special use".

USE, SPECIAL: See Special use.

VARIATION: A relaxation of the provisions of this Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this Ordinance would result in unnecessary and undue hardship.

VEHICLE: Any device in, upon or by which any person or property is or may be transported or drawn upon a highway or waterway, except devices moved by human power.

VENDING MACHINE: A machine for dispensing merchandise when money is inserted and which is designed to be operated by the customer.

VIBRATION: The periodic displacement of a body or medium in alternately opposite directions from the position of equilibrium when that equilibrium has been disturbed.

VIBRATION FREQUENCY: The number of oscillations per second of a vibration.

WALL: A linear structure which serves to support, retain or screen.

WATCHMAN'S QUARTERS: Working facilities for an owner/operator or employee to provide a 24-hour security in any zoning district where such accommodations are a permitted use. Watchman's quarters shall not serve as a primary residence for a watchman.

YARD: An open space on the same zoning lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in Section IV of this Ordinance. A "yard" extends along a lot line, and to a depth and width specified in the yard requirements for the zoning district in which such zoning lot is located.

YARD LINE: A line in a lot that is parallel to the lot line along which the applicable yard extends and which is not nearer to such lot line at any point than the required depth or width



of the applicable yard. A building, structure or other obstruction shall not encroach into the area between the yard line and such adjacent lot line, except for such permitted obstructions in yards as are set forth in this Ordinance.

YARD, CORNER SIDE: A yard extending along a side lot line which adjoins a public street and between the front and rear yards to a width specified in the yard requirements for the zoning district.

YARD, FRONT: A yard extending along the full length of the front lot line between the side lot lines to a depth specified in the yard requirements for the zoning district or to the depth equal to the point at which the required lot width is established, whichever is greater.

YARD, INTERIOR SIDE: A yard located immediately adjacent to another lot or to an alley separating such side yard from another zoning lot.

YARD, REAR: A yard extending along the full length of the rear lot line between the side lot lines to a depth specified in the yard requirements for the zoning district.

YARD, SIDE: A yard extending along a side lot line from the front yard line and the rear yard line to a width specified in the yard requirements for the zoning district.

YARD, TRANSITIONAL: Any yard adjacent to a more restrictive zoning district.

ZONING DISTRICTS: The districts into which the Village of Burr Ridge, Illinois, has been divided, as set forth on the Zoning District Map, for the purposes of zoning regulations and requirements.



BURR RIDGE ZONING ORDINANCE
SECTION XV
VIOLATION, PENALTY, ENFORCEMENT

A. VIOLATION AND PENALTY

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not less than \$100.00 nor more than \$750.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

B. ENFORCEMENT

The Community Development Director is hereby designated and authorized to enforce this Ordinance or to appoint an enforcement officer with the same authority. However, it shall also be the duty of all officers, citizens, and employees of the Village, particularly of all members of the police department, to assist the Community Development Director by reporting to him any new construction, reconstruction, improved land uses, or any other activity which appears to constitute a violation of this Ordinance. (Amended by Ord. A-834-03-05)



BURR RIDGE ZONING ORDINANCE
APPENDIX I AND II

Appendices I and II have been relocated to Section IV of the Zoning Ordinance.

APPENDIX III

PRIOR R-4 SINGLE FAMILY RESIDENCE DISTRICT

E. R4 SINGLE-FAMILY RESIDENCE DISTRICT (Amended by A-25-3-69)

1. Permitted Uses

As in the R1 District

2. Conditional Permitted Uses

a. **As in the R1 District**, except a planned development shall be regulated as follows:

b. Planned Developments

(1) Land Area

An area of not less than 100 acres, except one-half of the right-of-way of streets adjoining the tract may be included in the required land area.

(2) Permitted Uses

(a) Single-family detached dwellings.

(b) Single-family semi-detached and attached dwellings, and multiple-family dwellings when located in unified areas containing not less than four acres.

(c) Other permitted and conditional permitted uses allowed in this district.

(3) Gross Density

When at least ten percent of the total area of the Planned Development is devoted to open space:

Not more than 3.0 dwelling units per acre; however, at least 51% of the total number of dwelling units shall be single-family detached dwellings, and not more than 16.5% of the total number dwelling units may be multiple-family dwelling units and, not more than 32.5% of the total number of dwelling units may be single-family semi-detached and single-family attached dwelling units.

(4) **Bulk Regulations**

(a) **Lot Width and Lot Area** shall be as approved by the Board of Trustees after receiving the recommendations of the Plan Commission, provided:

- (i) that not less than 20 percent of the lots used for single-family detached dwellings shall have a minimum lot area of 16,000 square feet and the remaining lots used for single-family detached dwellings shall have a minimum lot area of 12,000 square feet.
- (ii) that for other permitted and conditional permitted uses allowed in this district, the lot areas and lot widths shall be as required in the R1 District.

(b) **Floor Area Ratio**

- (i) Single-family detached dwellings -- as regulated in "E5" of this district unless otherwise approved by the Board of Trustees after receiving the recommendation of the Plan Commission. (Amended A-25-6-84)
- (ii) Single-family, semi-detached and attached dwellings, and multiple-family dwellings -- not to exceed 0.6; provided, however, that the proportionate share of any space owned in common by lot owners shall be computed in the area of each lot for determining the floor area ratio for single-family semi-detached and attached dwellings, said share of common space so included to the ratio of the area of each lot to the area of the common space.
- (iii) Other permitted or conditional permitted uses -- as herein regulated in "D-5" of this District.

(c) **Yards**

Yards, as regulated in "E8" of this district, shall be required at the exterior boundaries of the planned development. Yards at other locations shall be as approved by the Board of Trustees after receiving the recommendation of the Plan Commission, but if such yards are not provided for by specific approval of the Board of Trustees they shall be as provided for in "E8" of this district. (Amended A-25-6-84)

(d) **Space Between Structures**

As in the R3 District.

(e) **Building Height**

- (i) Single-family detached dwellings, single-family semi-detached and attached dwellings -- not more than two and one-half stories or 30 feet, whichever is lower.
- (ii) Multiple-family dwellings -- not more than three stories or 40 feet, whichever is lower.
- (iii) Non-residential uses -- not more than 45 feet.

(5) **Dwelling Unit Floor Area**

The minimum floor area in square feet of single-family semi-detached, single-family attached and multiple-family dwelling units, excluding garages, balconies, basements, utility rooms, and area common to the operation and maintenance of the entire building shall be 900 square feet, except dwelling units containing more than one bedroom, shall be as follows:

- (a) two-bedroom dwelling units -- 1200 square feet
- (b) three-bedroom dwelling units -- 1600 square feet
- (c) units with over three bedrooms -- 200 additional square feet for each bedroom.

(6) **Off-Street Parking and Off-Street Loading**

In accordance with regulations herein set forth in Section IX, except in areas designated for single-family semi-detached, and attached dwellings and multiple-family dwellings, two covered spaces shall be provided for single-family semi-detached and attached dwellings and required underground parking of one and one-half per dwelling unit. Off street parking of one half space per dwelling unit shall be provided for guest parking.

3. **Lot Area**

- a. **Single-family detached dwellings** -- not less than 20,000 square feet, except as herein otherwise regulated for planned developments in this district. Also, when recommended by the Plan Commission and approved by the Board of Trustees, lots of a lesser size will be permitted if the total number of lots does not exceed the number which would be possible if all lots were not less than 20,000 square feet in area and, further, if the reduction in size is not more than 25%. (Amended by A-25-1-80)
- b. **Non-residential uses** -- as herein set forth for specific uses.

4. **Lot Width**

- a. **Single-family detached dwellings** -- not less than 100 feet, except as herein otherwise regulated for planned development in this district.
- b. **Non-residential uses** -- as herein set forth in R1.

5. **Floor Area Ratio**

- a. Single-family detached dwellings -- not to exceed .2.
(Amended A-25-6-84)
- b. Non-residential uses -- not to exceed 0.2.

6. **Building Height**

- a. **Single-family dwellings** -- not more than two and one-half stories or 30 feet, whichever is lower.

7. **Ground Floor Area Per Dwelling**

- a. **One story dwellings without cellar** -- not less than 1,500 square feet.
- b. **One story dwellings with cellar** -- not less than 1,200 square feet.
- c. **Dwellings having more than one story:**
 - (1) not less than 950 square feet for a one and one-half story dwelling and
 - (2) not less than 750 square feet for two story or two and one-half story dwellings.

8. **Except as may be herein otherwise required, yards shall be in accordance with the following regulations:**

- a. **Front Yard** -- not less than 30 feet in depth.
 - b. **Side Yards** -- two side yards having a combined width of not less than 20 feet with neither side yard less than ten feet in width, except on corner lots, the side yard adjoining a street shall be not less than 40 feet in width and the interior side yard not less than ten feet in width.
 - c. **Rear Yard** -- not less than 50 feet in depth.
 - d. **Yards, General** -- non-residential uses -- for buildings more than 30 feet in height, each front, side, and rear yard as required above shall be increased in width or depth by two feet for each additional one foot of building height over 30 feet.
9. **Off-Street Parking and Off-Street Loading**

In accordance with applicable regulations set forth herein Section IX.

APPENDIX IV

PRIOR R-6 RESIDENTIAL & CONGREGATE CARE DISTRICT

H. **R-6 RESIDENTIAL AND CONGREGATE CARE DISTRICT**

The R-6 District is intended to provide for medium density residential uses incorporating large natural open spaces. Such a district is characterized by its transitional location adjacent to both lower density single-family residential uses and higher density research assembly uses. This district is intended to attract the user who desires a low-maintenance residential lifestyle while still having the benefits of proximity to spacious, natural surroundings. Accordingly, this district should be located next to major wetlands or park properties, or other open space.

1. **General Requirements**

- a. **Subject Properties** - Properties subject to this classification shall be those parcels that are: (i) 50 acres or more; (ii) encumbered by a minimum of three (3) acres of protected wetlands; and (iii) containing or contiguous to a proposed or existing public park or forest preserve containing thirty (30) or more acres. Such public park or forest preserve can either be in existence prior to development or be dedicated (or donated) and developed as part of the development.
- b. **Site Plan Approval Required for Conditional Permitted Uses** -For all conditional permitted uses allowed hereunder, the development and construction of such conditional uses shall be in accordance with a specific site plan which has been approved by the Board of Trustees (the Board, in its discretion, may first refer the site plan to the Plan Commission for its recommendation prior to Board approval). Such site plan shall include, among other things, the layout and design of the buildings, building heights, sign requirements, fence requirements, landscaping requirements, open space requirements, a layout of road networks and other utilities, and parking requirements. Such site plan shall not be limited to the above requirements, but shall include all aspects of development of the subject property.

2. **PERMITTED USES**

- a. Single family detached dwellings.
- b. Public parks, playgrounds and forest preserves.
- c. Accessory uses (customarily incidental to the above permitted uses - including but not limited to home occupations, off street parking and off street loading facilities).

3. **CONDITIONAL PERMITTED USES**

- a. Outdoor recreational uses (other than public parks) as approved by the Board of Trustees after receiving the report and recommendation of the Plan Commission, but not including gun clubs and other uses requiring lighting for outdoor recreational use.
- b. Planned developments
 - (1) **Land Area** - A tract that is developed under unified ownership or control, having an area of not less than 50 acres, except one half of the right of way of streets adjoining the tract may be included in the required land area. For purposes of this Section, the term develop shall be construed to mean the creation of the subdivision or subdivisions including the installation of all public utilities, and if a congregate care facility is to be developed on the subject site, it shall also be construed to include the construction of such facility. Nothing herein shall restrict the sale of individual lots or parcels to a builder for the construction of individual dwelling units for townhouse buildings.
 - (2) **Permitted Uses for Planned Developments**
 - (a) All permitted and conditional permitted uses allowed in this district.
 - (b) Single family semi-detached and attached dwellings when located in an area not more than 30 percent of the total area of the planned development (including any land donated for public parks or forest preserves).
 - (c) Congregate care facilities when located in an area not more than 30 percent of the total area of the planned development. For the purposes of this district, a congregate care facility shall include living units for independent, healthy retirees, assisted living for elderly adults who require limited supervision in performing daily activities or attention to medical needs, and licensed nursing facilities. The term congregate care facility shall be construed to exclude nursing homes. A mixed use congregate care facility and the allowable percentages of the various types of living units shall be as approved by the Board of Trustees.
 - (3) **Maximum Gross Density**

- (a) For single family detached dwellings, as approved by the Board of Trustees after receiving the recommendation of the Plan Commission.
- (b) For semi-detached and attached dwellings 1.3 dwelling units per acre of the planned development, including any acreage dedicated, donated or sold for a public park or forest preserve.
- (c) For congregate care facilities, 6 dwelling units per acre (including staff dwelling units, if any) in the planned development, including any acreage dedicated, donated or sold for a public park or forest preserve.

(4) **Lot Width and Lot Area**

As approved by the Board of Trustees after receiving the recommendation of the Plan Commission.

(5) **Yards and Distance Between Dwellings**

As approved by the Board of Trustees after receiving the recommendation of the Plan Commission.

(6) **Building Height**

- (a) For single family detached dwellings not more than two and one-half (2 1/2) stories or 30 feet, whichever is lower.
- (b) For semi-detached and attached dwellings not more than two and one-half (2 1/2) stories or 30 feet, whichever is lower.
- (c) For congregate care facilities not more than three and one-half (3 1/2) stories or 45 feet, whichever is lower.

(7) **Open Space**

Green space unencumbered by buildings or impervious surfaces (including parking areas and driveways) shall be provided in an amount not less than eighty-five (85) percent of the total area of the planned development, including any lands dedicated, donated or sold for a public park or forest preserve. For purposes of this Section, "green space" shall consist of landscaped areas in accordance with the provisions of Section VIII,B,2,i of this Ordinance and/or any public parks or forest preserves which are dedicated, donated or sold as part of the planned development, and such green space must be in addition to all required building setbacks and yards, except as otherwise approved by the Board of Trustees.

4. **LOT AREA**

Single-family detached dwellings - shall not be less than 20,000 square feet, unless otherwise permitted under a planned development within this district. In addition, as approved by the Board of Trustees after receiving the recommendation of the Plan Commission, lots of a lesser size will be permitted if the total number of lots does not exceed the number which would be possible if all lots were not less than 20,000 square feet in area and, further, if the reduction in size is not more than 25%.

5. **LOT WIDTH**

Single-family detached dwellings - not less than 100 feet, except as herein otherwise regulated for planned developments in this district.

6. **FLOOR AREA RATIO**

Not to exceed 0.20 per single family detached residential lot.

7. **BUILDING HEIGHT**

Single-family detached dwellings - not more than two and one-half (2 1/2) stories or 30 feet, whichever is lower.

8. **YARDS**

Except as may be herein required, yards shall be provided in accordance with the following regulations:

- a. **Front Yard** - not less than 30 feet in depth
- b. **Side Yards**

Two side yards - each side yard shall have a width of not less than 17 feet, except on corner lots, the side yard adjoining a street shall be not less than 30 feet in width.

- c. **Rear Yard** - not less than 50 feet in depth.

9. **OFF-STREET PARKING AND OFF-STREET LOADING**

In accordance with applicable regulations herein set forth in Section IX of this Ordinance.

(Section VI.H. Added by A-454-8-90)

APPENDIX V

MINIMUM STANDARDS FOR PARKING STALLS, AISLES AND MODULES

(See Diagram which follows)

<u>On Diagram</u>	<u>Dimensions Based on the Angle of Parking</u>			
A	<u>The angle of parking</u>	45°	60°	90°
B	Width of stall.....	9'	9'	9'
C	Stall width, parallel to aisle.....	12'9"	10'5"	9'
D	Stall depth, perpendicular to aisle.....	20'	21'	18'
E	Stall length.....	19'	19'	18'
F	Aisle width	13'*	17'*	24'
G	<u>MODULES</u> (consist of two rows of parking stalls and one aisle)			
	Interlock.....	47'	55'	--
	Wall to wall	53'	59'	60'

* One way aisle only

- ** 1. Exterior ramp grades shall not exceed 6°. Interior ramp grades shall not exceed 10°. Handicapped ramp grades shall be 1" per 1'.
2. Where parallel parking is permitted, the stall length shall be 24 feet and aisle width shall be a minimum of 14 feet.
3. Parking space(s) for the physically handicapped shall be designed in accordance with State requirements.

(Amended by Ord. No. A-834-12-04)

APPENDIX VI

**ACCESS DRIVEWAY FROM STREETS TO
OFF-STREET PARKING AND LOADING SPACES**

The contents of Appendix VI have been inserted in Section IV.Y of the Zoning Ordinance.



BURR RIDGE ZONING ORDINANCE
APPENDIX VII
PARKING LOT LANDSCAPING ISLANDS

Every parking lot in excess of 15 spaces shall contain planting islands for shade trees as follows:

- One island for every 15 spaces
- One tree per each island
- Minimum island size: 9 feet wide by 18 feet long
- Island at end of each row and every 15 spaces in a row

