

Agenda
Village of Homer Glen
PLAN COMMISSION
Thursday, April 18, 2019 – 7:00 p.m.
Village Board Room, 14240 W. 151st Street, Homer Glen

1. **Call to Order.**
2. **Pledge of Allegiance to the Flag.**
3. **Roll Call.**
4. **Public Comment.**
5. **Minutes.**
 - a) **April 4, 2019**
6. **New Business.**
 - a) **HG-1908-V, 14530 136th Street (*Public Hearing*):** Consideration of a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet for certain real property located in the R-1 Single-Family Residential District at 14530 136th Street, Homer Glen Illinois.
 - b) **HG-1907-S, 16849 S. Cedar Road (*Public Hearing*):** Consideration of an Amendment to the Planned Unit Development granted by previously amended Ordinance No. 16-011 for the property commonly known as 16849 S. Cedar Road, Homer Glen, Illinois. The applicant is requesting to allow wedding and banquet type events at the new Train Depot.
7. **Reports of Plan Commissioners and Staff (includes Old Business).**
8. **Adjourn.**

DISABLED: Any individual requiring special accommodations as specified by the Americans with Disabilities Act is requested to notify the Village Manager at 708-301-0632 at least 24 hours in advance of the meeting date.

Plan Commission

Minutes of the Meeting on
April 4, 2019

DRAFT

**Village of Homer Glen
14240 W 151st Street, Homer Glen, IL 60491
Village Board Room**

1. Call to Order.

The meeting was called to order at 7:00 p.m. by Vice-Chair Lynn McGary.

2. Pledge of Allegiance to the Flag.**3. Roll Call.**

Members present at 7:00 p.m. were Vice-Chairman McGary, Members Beth Verdun, Lynn McGary, Dave Stanly, Broque Backal and Bryan Kozor.

Also present at 7:00 p.m. were Village Manager Karie Friling, Planning Director Vijay Gadde and Plan Commission Secretaries Chris Comardo and Gia Cassin. The minutes were recorded and transcribed by Plan Commission Secretary Gia Cassin.

Members absent: Chairman Mitchell & Member Jerry Young.

4. Public Comment.

None.

5. Minutes.

March 21, 2019: Vice-Chairman McGary stated that the minutes from the March 21, 2019 Plan Commission meeting were being presented for approval. Member Verdun made a motion to approve the minutes from the March 21, 2019 meeting; seconded by Member Stanly. All in favor – motion passed.

Planning Director Gadde swore in persons in attendance who intended to speak during the meeting's public hearings.

6. New Business.

- a) **HG – 1906-V, 14423 S. Pine Grove Drive (*Public Hearing*):** Consideration of (1) a Variance to allow a 6-foot fence in the corner side yard; and (2) a Variance to permit a deck less than 10 feet from the side property line for certain real property located in the R-4 Single – Family Residential District at 14423 Pine Grove Drive, Homer Glen, Illinois.

Director Gadde introduced the case and provided background information. He stated that this case applies to the Old Oak Estates subdivision, which was platted in 1988, prior to the incorporation of The Village of Homer Glen. Director Gadde stated that there were two (2) Variances to discuss/consider: (a) the replacement of an existing 6-foot privacy fence on a corner lot and (b) the replacement of an existing deck in the yard. Director Gadde stated that staff looked at standards required to review the hardship and suggested that the Commission look at the pictures. He stated that the deck is encroaching on a drainage easement area, and the Commission take that into consideration. He pointed out that in the second picture, you see the pool was half in the ground, requiring the higher fence, which he stated, seemed to be a justifiable hardship. He added that the applicant was present to discuss any comments.

Vice-Chairman McGary asked if there was a motion to open the Public Hearing to discuss case number HG-1906-V, 14423 S. Pine Grove Drive. Member Verdun made a motion to open the Public Hearing, seconded by Member Stanly. All in favor – the motion carried.

Vice-Chairman McGary announced the Commission would hear from the petitioner at this time.

The applicant, Rachel Sweet took the podium to reiterate the facts as presented in her Variance paperwork. She stated her intent would be to replace the fence as it stands today, stated she understands the requirement of the 4-foot fence, but added in her case, her fence is basically her neighbor's fence. She said they would like to replace it mainly because of the pool and for privacy. Mrs. Sweet added she has two (2) young children as well as a dog. She stated her neighbors have provided surveys stating they don't have any issue with the 6-foot fence. She stated that they were looking to add a small section (1.5 fence sections) to shield their garbage receptacles also, which she felt would be an improvement.

Mrs. Sweet then discussed the deck, and stated she originally spoke with (Village Planner) Kyle McGinnis, and learned about the steep costs associated with the Variance and so put in for both the fence and the deck on one (1) Variance application. Resident Sweet stated at the time she applied for the Variance, she wasn't aware there were so many issues with the deck. She does not want to lose the ability to have a deck, as it stands today. She stated that the deck is original to the house, said it doesn't seem to be a nuisance, feels a new simple clean deck with new materials would be an improvement. Mrs. Sweet said it would be a hardship to her family to move the fence in from where it sits today because it would cut into the pool and they would need to remove the pool. Mrs. Sweet stated on the deck side, the backyard is very slanted, and the deck facilitates a flat surface where her kids can play. They would landscape around it to make it nicer. She concluded her statement and was seated.

Homer Glen resident Charles Brown spoke next. He lives on a corner lot as well, across the street from the Sweet home. He stated that all the neighbors are good neighbors. No one is objecting to the fence and said it is set back so far that it does not interfere with the roads. He stated he can appreciate the variance requirement, but added the current fence is deteriorated, and added that replacing it will be a nice addition to the corner. He further added that as far as he is concerned, it should be a moot point, as long as the variance paperwork is handled. Mr. Brown stated the Sweets are good neighbors and he concluded his statement.

Vice-Chairman McGary asked if there was a motion to close Public Hearing for case number HG-1906-V. Member Stanley motioned to close the Public Hearing; seconded by Member Kozor. All in favor - motion carried.

Vice-Chairman McGary initiated the discussion by the Plan Commission. Member Kozor asked if there were any drainage issues or concerns for the neighbors (located at 14417 Pine Grove) to the north of the property located at 14423 S. Pine Grove. Director Gadde responded there were none.

Member Verdun had a question for Director Gadde, seeking clarification of the side and front yard as it pertains to the deck portion. Director Gadde referred to the Plat of Survey, and stated the current deck is sticking 1.5 feet out in front of the building line. Member Verdun then stated (for further clarification) that being on the other side of the building line makes that piece the front yard. Director Gaddad stated that was correct.

Vice-Chairman McGary asked Mrs. Sweet directly if there are currently any drainage problems and Mrs. Sweet stated there currently are none with her property, nor do the neighbors have any issues currently.

Resident Brown commented the resident who resides to the south of the Sweet residence, lives by herself. Mr. Brown occasionally assists her and stated they have had conversations about this and she too does not object to any of the changes taking place with respect to the fence and the deck.

Vice-Chairman McGary stated she drove by the property at 14423 Pine Grove Drive and took note of the situation, and further stated that this fence needs help.

No further comments were made. Vice-Chairman McGary asked if there was a motion for this agenda item. Member Verdun made the following motion to adopt the findings of the Planning Commission and to recommend approval of (1) the Variance to allow a 6-foot high fence at the corner side yard, and (2) the Variance to permit a deck less than 10 feet from the side property line for certain real property located in the R-4 Single Family Residential District at 14423 S. Pine Grove Drive, Homer Glen, Illinois. The motion was seconded by Member Stanly. In favor (5) Backal, Kozor, McGary, Stanly, Verdun. Opposed (0). Motion carried.

Director Gadde stated to all that the case would be further discussed at the Village Board meeting, scheduled for April 24, 2019.

Village Manager Friling spoke up to formally introduce herself to the Planning Commission, explained she just started on Monday the 1st, and provided some background on where she has worked previously and her experience. The Commission warmly welcomed Village Manager Friling.

Reports of Plan Commissioners and Staff (includes Old Business).

Vice-Chairman McGary asked if there were any reports from the Village staff.

Director Gadde stated that for the next Plan Commission meeting to be held on April 18, 2019, the following two (2) items would be discussed; (1) Konow Farm Train Depot P.U.D. change to allow for planned events, (2) Variance Permit for an addition at 14530 136th Street.

Member Verdun reminded the Plan Commission that she would not be present at the April 18 meeting.

Vice-Chairman McGary asked if the Fire Department would be present at the next Plan Commission meeting because she is aware that the sprinkler system was a concern. Member Stanly said at this point the building is just a shell, there is not anything yet in place inside the building. Director Gadde stated that there is a list in place to discuss with the architects once the P.U.D. change has been resolved.

7. Adjournment.

Motion to adjourn was made by Member Backal; seconded by Member Stanly. Motion carried.

The meeting was adjourned at 7:21 p.m.

Approved _____

Chairman Mitchell _____



**HOMER GLEN PLAN COMMISSION
MEMORANDUM**

To: Chairman and Members of the Homer Glen Plan Commission

From: Vijay Gadde, AICP, Director of Planning & Zoning

Meeting Date: April 18, 2019

Agenda Item Number: 6.a

Subject: 14530 136th Street, Case No. HG-1908-V

Item Title: Consider Approval of request for a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet for certain real property located in the R-1 Single-Family Residential District at 14530 136th Street, Homer Glen Illinois [HG-1908-V, 14530 136th Street].

Property Information

Location: 14530 136th Street (see *Attachment 1*)

Property Size: 1.67 acres

Existing Zoning/Use: R-1 Single-Family Residential District

Adjacent Zoning:

- N: Cook County
- E: R-1 Creekwood Subdivision
- S: R-1 Creekwood Subdivision
- W: R-1 Creekwood Subdivision

Background

The existing home at 14530 136th Street was built in 1996 and the applicant is proposing to build a 11'x16' one story office/guest room on the west side of the existing home (see *Attachment 2*).

Zoning Code Standards

The purpose of this Public Hearing is to consider a request for a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet [Attachment 1, Table 1B (Site and Structure Bulk Requirements for Residential Districts) of Chapter 220 (Zoning) of the Code of the Village of Homer Glen] for the subject property.

Chapter 220-1207C(1-3) of the Code of the Village of Homer Glen lists the standards by which the Plan Commission shall make the findings of fact. The Code requires that the Plan Commissioners consider these standards in making its finding and determining a recommendation to send to the Village Board. Please refer to *Attachment 3* for Staff-Suggested Findings of Fact.

Conformance with other Code Standards

Exterior Construction Standards (Chapter 75, Article II):

The Exterior Construction Standards apply to this request as the applicant is proposing an addition.

Lighting (Chapter 75, Article II):

The Lighting regulations do not apply to this request as no exterior lighting has been proposed.

Subdivision & Stormwater (Chapter 138, Article I):

The Subdivision regulations do not apply to this request as the applicant has not proposed the division of the subject property at this time. The Stormwater regulations apply to this request and the applicable site plans will be reviewed as part of the permitting process.

Tree Preservation and Conservation Subdivision (Chapter 138, Article I):

The Tree Preservation regulations do not apply to this request as the applicant has not requested the approval of a Preliminary Plat of Subdivision or proposed the division of the subject property, and the subject property is less than five (5) acres in size.

The Conservation Subdivision regulations do not apply to this request because the applicant has not proposed the development of a residential subdivision greater than ten (10) acres in area, nor the applicant proposed the development of a residential subdivision made up of lots less than one and one-half (1.5) acres in size.

Park Donation (Chapter 138, Article II):

The Park Donation regulations do not apply to this request as these regulations only apply when the final Plat for a residential subdivision or development has been approved, or when the final Plat for a Planned Unit Development has been approved.

Conformance with Adopted Plans

Comprehensive Land Use Plan:

The Comprehensive Plan designates the subject property as *Single-Family – Rural*.

Transportation Plan:

The regulations and recommendations set forth within the Village of Homer Glen Transportation Plan do not apply as the applicant is not requesting any changes to the ingress and egress from the subject property.

Motion for Consideration

Is there a motion to recommend _____ (approval / approval with conditions / denial) of request for a Variance to reduce the required side yard setback for the proposed addition from twenty-five (25) feet to nineteen (19) feet [Attachment 1, Table 1B (Site and Structure Bulk Requirements for Residential Districts) of Chapter 220 (Zoning) of the Code of the Village of Homer Glen] for certain real property located in the R-1 Single-Family Residential District at 14530 136th Street, Homer Glen Illinois [HG-1908-V, 14530 136th Street]?

Attachments

1. Aerial Map
2. Proposed Location
3. Staff-Suggested Findings of Fact

Attachment 1 - Aerial Map depicting the north side of Creekwood Subdivision

Subject Property



Attachment 3 – Staff-Suggested Findings of Fact Standards for Variances

Chapter 220-1207C(1-3) of the Code of the Village of Homer Glen lists the standards by which the Plan Commission shall make the findings of fact. The following are the categories with staff's recommended findings in *italics*:

1. The Plan Commission shall not vary the provisions of this Ordinance as authorized unless it has made findings based upon the evidence presented to it in the following cases:
 - (a) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.
The property could indeed yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the R-1 Single-Family Residential District.
 - (b) That the plight of the owner is due to unique circumstances.
The owner is a longtime resident and would like to continue to live on the property with the proposed addition.
 - (c) That the variance, if granted, will not alter the essential character of the locality.
The Variances, if granted, will not alter the essential character of the locality. There are several homes in the Creekwood Subdivision with side yards less than 25 feet including the home located on the west side of the subject property.
2. A variance shall be recommended to the Village Board only if the evidence, in the judgment of the Plan Commission, sustains each of the three conditions enumerated in Subsection C(1).
3. For the purpose of supplementing the above standards, the Plan Commission, in making its determination, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:
 - (a) That the particular surroundings, shape, or topographical conditions of the specific property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
The subject property's surroundings, shape and topographical conditions do not appear to bring about a hardship upon the owner.
 - (b) That the conditions upon which the petition for variance is based would not be applicable, generally, to other property within the same zoning classification.
The proposed addition flows better with the existing floor plan.
 - (c) That the purpose of the variance is not exclusively based upon a desire to make more money out of the property.
The purpose of the requested Variance is not exclusively based upon a desire to make a greater profit out of the property upon its sale.

- (d) That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The applicant's bought the property in 1996 with the current configuration and floor plan.

- (e) That the granting of the variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located.

Staff does not foresee the approval of these Variances having a detrimental impact on the public welfare or being unduly injurious to other property or improvements in the Creekwood subdivision.

- (f) That the exterior architectural appeal and functional plan of any proposed structure will not be so at Variance with the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

The Exterior Construction Standards apply to this request as the applicant is proposing an addition.

- (g) That the proposed variance will not impair an adequate supply of air to adjacent property, substantially increase the danger of fire, otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The proposed Variance will not impair an adequate supply of air to the adjacent property, substantially increase the danger of fire or substantially diminish or impair property values within the Creekwood subdivision.