

# Plan Commission

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Minutes of the Meeting on  
May 3, 2018

**Village of Homer Glen  
14240 W 151<sup>st</sup> Street, Homer Glen, IL 60491  
Community Room**

**1. Call to Order.**

The meeting was called to order at 7:00 p.m. by Chairman Mitchell.

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

Members present at 7:00 p.m. were Chairman Don Mitchell, Member Eileen Crement, Member Beth Verdun, Member Kevin O'Donnell, Member Lynn McGary, Member Braque Backal and Member Bryan Kozor.

Also present were Planning and Zoning Director Vijay Gadde and Assistant Planner Kyle McGinnis.

**4. Public Comment.**

John Kooi lives in Derby Meadows, where ComEd recently took down a light pole to repair it. They put it back up but it has not been lit since. In addition, they had one truck parked on the easement and one in the street, but only had one orange cone to warn the traffic. It was not a safe situation. The workers were also not polite. Mr. Kooi also stated that ComEd replaced another light in the subdivision, which has also not been lit since replacement. It is very dark in the subdivision and he asked if anyone can get something done on this. Director Gadde stated that he would report on this item to the correct people.

**5. Minutes.**

## a) April 5, 2018

Chairman Mitchell stated that the minutes from the April 5, 2018 Plan Commission meeting were being presented for approval. Member McGary made a motion to approve the minutes from the April 5, 2018 meeting as amended; seconded by Member Crement. The motion passed unanimously.

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

**6. New Business.**

- a) **HG-1813-V, Venetian Court (*Public Hearing*):** Consideration of (1) a Variance to reduce the required front yard setback for the dwelling located on the subject property from forty (40) feet to twenty-nine (29) feet; and (2) a Variance to reduce the required corner side yard setback for the dwelling located on the subject property from forty (40) 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-5 Single-Family Residential District at 13749 S. Venetian Court, Homer Glen, Illinois.

Assistant Planner McGinnis explained that the subject property, 13749 S. Venetian Court, is Lot 34 of the Derby Meadows Subdivision Unit 3. Platted and recorded in 1972, Unit 3 of the Derby Meadows Subdivision predates the Village of Homer Glen by nearly thirty (30) years. Despite this, the subject property fulfills the Village's requirements for properties zoned R-5 Single-Family Residential, including the lot's size, width, frontage and depth; however, the home, which was also built in the 1970s, does not meet the Village's front and corner side yard setback requirements for dwellings in this zoning district.

In early 2018, the applicant applied for a building permit to construct a small addition to their home in the form of a three-season room. During staff's review of the proposals provided, it was found that the dwelling located on the subject property encroaches within the Village's front and corner side yard setback requirements. Because this structure was built prior to the Village's incorporation in 2001, the home is now considered a legal nonconformity.

Per §220-1102 (Nonconforming buildings and structures) of Chapter 220 (Zoning) of the Code of the Village of Homer Glen, building or structures that are found to be nonconforming cannot be added to or enlarged without first being made to comply with the relevant regulations or receiving a Variance. Since the home cannot realistically be shifted or altered to be made compliant, the applicant is required to receive a Variance for these legal nonconformities prior to the construction of the three-season room onto the rear of the dwelling. The denial of this request will ultimately dictate that the applicant cannot add onto or enlarge the existing dwelling in any way.

It was also noted that although the dwelling is only twenty-one (21) feet from the corner side property line, due to the angle at which the home was built the proposed three-season room would be nineteen (19) feet from the corner side property line. The Variances requested were written to accommodate for this proposal.

Chairman Mitchell called for a motion to open the public hearing for this zoning case. Member Backal made a motion to open the public hearing; seconded by Member O'Donnell. The motion was passed.

The applicant, Janice Elledge, was present to answer any questions or address any comments.

Chairman Mitchell opened the floor for any questions from the public.

John Kooi asked why this house needs special zoning and whether everyone in the subdivision would be required to get special zoning as well. Will this impact their taxes? He had called all Will County for assistance, but no one could help him.

Chairman Mitchell explained that with incorporation comes some confusion. There are many homes built the Village incorporated that are currently nonconforming in one way or another. When owners of these properties come to the Village for various things, like

building permits, they are asked to apply for a Variance to legally recognize these nonconformities.

Assistant Planner McGinnis stated that when they apply for a permit, the Village either goes out to the property or uses a software to measure the property and structures in order to ensure compliance. If everything is found to be compliant, it is a very simple process.

Hearing no more comments from the audience, Chairman Mitchell asked for a motion to close the public hearing on this zoning case. Member Crement made a motion to close the public hearing; seconded by Member Verdun. The motion was passed.

Member Backal stated that he is very appreciative that the applicant came forward in order to correct this issue.

Member Backal made a motion to adopt staff's findings as the findings of the Plan Commission and to recommend approval of: (1) a Variance to reduce the required front yard setback for the dwelling located on the subject property from forty (40) feet to twenty-nine (29) feet; and (2) a Variance to reduce the required corner side yard setback for the dwelling located on the subject property from forty (40) 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-5 Single-Family Residential District at 13749 S. Venetian Court, Homer Glen, Illinois

The motion was seconded by Member McGary. Roll call was taken. In favor (7) Member Crement, Verdun, Kozor, O'Donnell, McGary, Backal and Chairman Mitchell. Opposed (0) none. Absent (0) none. Abstain (0) none. The motion was passed.

Chairman Mitchell confirmed that Case No. HG-1813-V would be on the Village Board agenda for May 23, 2018.

- b) **12361 W. 159th Street – Multi-Family Development (Workshop): Concept Plan presentation for an R-6A Attached Single-Family Residential Subdivision on certain real property located at 12361 W. 169th Street, Homer Glen, Illinois.**

Planning & Zoning Director Gadde stated that the applicant, Peter Paraskis, has proposed an R-6A Attached Single-Family Residential Subdivision on certain real property located at 12361 W. 169th Street. The property will need to be rezoned from A-1 Agricultural District to R6-A Attached Single-Family. This project will be processed as an R-6A Plat of Subdivision as well as a Planned Unit Development.

He further stated that this agenda item was only as a concept plan and would not require a vote.

Mr. Grant Currier of the Linden Group was in attendance to present the concept plan for the land owners. Mr. Currier stated that the property is one thousand two hundred (1,200) feet deep and on hundred sixty-seven (167) feet wide. Accounting for the extension of W. Carroll Drive from the neighboring subdivision and the new right-of-way (ROW), that left one hundred one (101) feet to use for development. That makes this lot a challenge to develop. They have proposed four (4) three (3) unit buildings and

two (2) four (4) unit buildings. The site drops off approximately twenty (20) feet from W. 159<sup>th</sup> Street to the south, so they have planned a detention pond at the south end of the property. Each unit will include an all-brick first floor exterior in addition to a two (2) car enclosed garage. They have also added visitor parking for each residential cluster.

Mr. Currier stated that if the proposal is well received, a tree survey would be done. Although the lot is five (5) acres in area, only a little over three (3) acres would be buildable after accounting for the ROW and new road construction.

Member McGary asked if the developers intend to place a six (6) foot solid fence between the subject property and the existing subdivision. Mr. Currier stated that this was their intention. Member McGary asked how close the proposed buildings would be to the existing buildings in the other subdivision. Mr. Currier stated that the closest building would be ninety (90) feet and the furthest would be one hundred thirty (130) feet.

Chairman Mitchell stated that all of the proposed garages and parking areas face the homes in the Country View subdivision; he wondered whether they should incorporate some side-loaded garages. He also asked if the proposed development would have full access on W. 159<sup>th</sup> Street. Mr. Currier stated that they would have full access; both right and left turns would be allowed on W. 159<sup>th</sup> Street.

Member Crement asked if the fifteen (15) foot easement is tree lined. Mr. Currier stated that he thinks that it is part of the Country View subdivision. Member Crement stated that the aerial photo provided shows that the area is heavily treed and asked whether they plan on maintain that tree line. Mr. Currier stated that the area is within the Country View subdivision, which they cannot legally alter. They intend on saving as many trees as possible that are on the subject property. Member Crement asked if a wildlife study has been done on the property. No wild life study has been done.

Chairman Mitchell voiced concern with the increased traffic that could flow through the Country View subdivision as exiting west onto W. 159<sup>th</sup> Street from the subject property with no traffic signal will be difficult. Drivers could then use W. Carroll Drive and go through the subdivision to a nearby traffic signal. Mr. Currier stated that it would not be out of the norm to do a traffic study to determine how it will affect the neighbors.

Chairman Mitchell stated that he thought foresaw this property being developed with the property to the east, allowing for a lower density residential development including commercial space along the W. 159<sup>th</sup> Street frontage. Mr. Currier stated that the land owners approached the property owners to the east regarding this type of development but that they were not interested in such a concept. Chairman Mitchell also stated that the incorporation of side-loaded garages could give the development a stronger single-family aesthetic.

Member Crement asked what the price point of the homes will be. Mr. Currier stated they will sell for three hundred thousand (300,000) to four hundred thousand (400,000) dollars.

Member Verdun stated that thirty (30) percent of these garages should be side-loaded and asked whether this was looked into. Mr. Currier stated that they can certainly look at doing that.

Member O'Donnell agreed that the traffic flow through the Country View subdivision could be a problem.

Member Backal stated that he is in favor of some residential property here if just to buffer some of the noise from W. 159<sup>th</sup> Street. He also commented that they need to make some adjustments to the plan, including side-loaded garages, among other conceptual changes.

Both the Stonebridge and Amberfield Townhome subdivisions meet the criteria in the Code, so it can be done here as well. Concerns regarding the impact on wildlife and drainage in the area were voiced. A traffic signal on W. 159<sup>th</sup> Street would also be beneficial.

Director Gadde stated that the Forest Preserve abuts the property and will be included in the review process.

Member McGary stated that the people in the Country View subdivision will object to the six (6) foot fence. Mr. Currier stated that the Village Code requires the fence.

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

Member McGary stated that Verizon did get the approval to build their tower despite the fact that all of the neighbors came out for the meeting.

Chairman Mitchell stated that he and Trustee Sharon Sweas went to the training session last month and that it was one of the best he has attended. He came away with two new important pieces of information. First, abstaining from voting is only necessary if you have a ten (10) percent or more financial interest in the agenda item, or if you feel you cannot be fair on the issue. And second, Plan Commissioners are all legally trespassing on any property that has a public hearing announcement sign, assuming no permission was granted.

Director Gadde reported that there were no cases currently scheduled for the next meeting, May 17, 2018, so it has been canceled.

**8. Adjournment.**

Motion by Member Backal, seconded by Member Crement to adjourn. The motion was passed. The meeting was adjourned at 8:09 p.m.

Respectfully Submitted: Candace Rose

Chairman Mitchell: 

Approved (Date): 5-1-18