

Plan Commission

Minutes of the Meeting on
April 6, 2023

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

1. Call to Order

The Meeting was called to Order at 7:02 PM

2. Pledge of Allegiance to the Flag was led by Commissioner Stanly.

3. Roll Call

Members present: Commissioner Stanly, Commissioner McGary, Commissioner Verdun, Commissioner Foley, Commissioner Bugos-Komperda and Vice Chair Hand. Also present were Planning and Zoning Director King, Assistant Planner Udarbe and Plan Commission Secretary Cassin.

Not present: Commissioner Bradarich

4. Minutes

a) March 16, 2023

Vice Chair hand asked for a motion to approve the minutes as prepared and added that he noted an error in the last sentence of the minutes, which will be reviewed and corrected for approval at the next meeting.

5. Public Comment.

None.

The Plan Commission Secretary swore in all wishing to speak. Vice Chair Hand provided a statement as to the order and operation of business for the Plan Commission process.

6. New Business and Possible Action or a Recommendation.

- a) Case No. HG-2305-V, 14300 W Hickory Ave (Public Hearing): Consideration of a request for approval of [1] a Variance to permit an accessory structure in the front yard where accessory structures are not a permitted obstruction, and [2] a Variance to increase the maximum aggregate square footage of accessory structures from the allowed one thousand eight hundred square feet (1,800) to two thousand two hundred and sixty- seven square feet (2,267) for certain real property located in the R-1 Single-Family Residence District at 14300 W Hickory Ave, Lemont, Illinois (within Homer Glen Corporate limits) [HG-2305-V].**

Staff is proposing to continue this case as the applicant is working through a concern with ComEd. The applicant is waiting on answers from ComEd. Staff did re-notice for this case.

Vice Chair Hand asked for a motion to table. Commissioner Verdun motioned to table, seconded by Commissioner McGary. A roll call vote was taken with Commissioners Bugos-Komperda, Foley, McGary, Stanly, Verdun and Vice Chair Hand all voting in favor with a six (6) to zero (0) vote. The motion passed unanimously. It is expected that this will return to the April 20, 2023 Plan Commission agenda.

- b) Case No. HG-2307-V, 15757 Twin Lakes Drive (Public Hearing): Consideration of a request for approval of [1] a Variance to increase the maximum permitted height of a fence located in a front yard from four (4) feet to six (6) feet and [2] a Variance to allow a fence to be installed on a lot with no principle structure (no house), as the Village Code requires that accessory uses must exist or be proposed to exist in connection with a principle use for certain real property located in the R-4 Single Family Residential District on Lot 52 in Twin Lakes Unit 1, with a common address of 15757 Twin Lakes Drive, Homer Glen, Illinois [HG-2307-V].**

Assistant Planner Udarbe presented the facts of this case. The applicant is Joe Martin, the project manager for Lake Guizor, LLC the owner of the subject property/lot. The applicant is seeking to install a six (6) foot fence on a property without a principal structure for safety purposes as there is a large pond on the property, and they would like to ensure public safety and discourage trespassing. The fence they are requesting is a six (6) foot aluminum open fence to match what is existing along the Mobil property. This fence will run along the front property line and will connect to fencing that is already installed in the side yard of the parcel.

Staff did receive three (3) calls from neighboring residents interested in what was happening on this parcel, upon learning the details, the responses were as follows: (1) resident felt this safety measure was good and the fence was pleasing to the eye; (2) the second resident thought the fence would look nice, but felt that the height was not necessary as they have not witnessed any trespassing, and; (3) the last resident lives directly to the North of the subject property and is the former owner of the lot. She indicated that there is a history of trespassing onto this parcel and feels that this fence will deter people looking to trespass.

Staff Udarbe presented a few site photos and pointed out the spots that are broken. She explained that fencing is an accessory structure meant to be used secondary to a primary structure and they are requesting a variance to allow fencing on this property. This lot has no primary structure so the existing fencing is a non-conforming structure, which is not allowed to be altered to increase in bulk unless a variance is granted. Front yard fencing is permitted at a height not to exceed four (4) feet in height and 50% open in design, so the applicant is requesting the variance for the fence height, as it is going to be six (6) foot open fencing.

Staff Udarbe presented the findings for this case: the variance will not alter the essential character of the locality as the property already has existing open fencing in the front yard; fences are a more moveable accessory structure; the front yard fence is not for financial reasons, but for safety and security purposes, and; the desire for a six (6) foot fence, as opposed to a four (4) foot, is for security purposes.

Staff Udarbe referred back to the site photos to explain how the proposed fence will connect and match to the existing fencing along the Mobil property. The fence will meet the existing fencing along the front yard of the property to the north.

Commissioner Stanly made a motion to open the public hearing, seconded by Commissioner Bugos-Komperda. All were in favor, zero (0) opposed, the motion carried.

The applicant stated he did not have any comments to add.

A resident, Kim LePore approached to state that she supported the requests for the six (6) foot fence. She said when they owned that parcel, there were trespassers all the time. She said people are not paying attention to the "no trespassing" signs and she feels for safety, it is a good idea. She lives right next door to this parcel and she does not have any issue. She said that she hears and sees people on that parcel a fair amount. She said to the resident that said there are never any trespassers, but that resident doesn't live next to the property so it would make sense that they do not see anyone on this property with the body of water. She said she has witnessed a large fire blazing on that property in the past as well. She said that this is a safety issue.

No other discussion. A motion to close the public hearing was made by Commissioner Foley, seconded by Commissioner Verdun. All in favor, zero (0) opposed, the motion carried.

Commissioner McGary asked, if approved, if the fencing with completely enclose the property.

The applicant, Joe Martin, approached to discuss the fence, and said that this is a big expense, and said that there is a gate near the corporate area of Richards Building Supply that will need to be replaced at some point in the future. There will be 3 points of access to the lake after this install, and they will fully secure the property when financially feasible, they are greatly concerned with safety.

Commissioner Verdun asked if there is any concern about the Richards employees trespassing there. He stated that they are the same owner. Different entity, but same owner. Commissioner Verdun stated that made sense and then double checked with the applicant of a possible scenario where if someone wanted fish there and they parked in front of the building and then gain access to the lake, could they? He said there is a gate there. If it is closed, that perimeter is shut off. But this is one of the gates that will need replacement. The area along the North side will be open and will eventually need to be secured in a different installment. People would need to trespass a resident's yard to get to the lake on that side.

In a future budget, there will be a fence that will run along the neighbor's yard on the North.

The split rail will be removed, per the applicant. The big metal door that is currently there, it will be cut down to the six (6) foot fence height and it will be padlocked with a chain. It was at one time an electric gate but there is no longer any power feeding to that gate.

Vice Chair Hand asked about the structures that are there. The applicant said that there is a bridge that goes over an entry by a storm sewer. None of that is in the public domain, it is all on private property.

Staff said that there were sheds that showed up on the aerial review that were placed there prior to incorporation. Currently the sheds are not in use.

Vice Chair Hand suggested "private property" signs to be posted and the applicant stated they have tried all kinds of signs but they get ripped off and people trespass.

Commissioner Verdun suggested that they possibly let the Sheriff's department know so that perhaps they make it part of a regular patrol, to keep an eye out on the area.

Vice Chair Hand asked for a motion. Commissioner Stanly made a motion to adopt staff's findings as the findings of the Plan Commission and to recommend approval for (1) a Variance to increase the maximum permitted height of a fence located in a front yard from four (4) feet to six (6) feet and (2) a Variance to allow a fence to be installed on a lot with no principle structure (no house) and as the Village code requires that accessory uses must exist or be proposed to exist in connection with a principle use for certain real property located in the R-4 Single Family Residential District on Lot 52 in Twin Lakes, Unit 1, with a common address of 15757 Twin Lakes Drive, Homer Glen, Illinois [HG-2307-V]. The motion was seconded by Commissioner McGary. A roll call vote was taken with Commissioners Verdun, Stanly, McGary, Foley, Bugos-Komperda and Vice Chair Hand voting in favor six (6) to zero (0). The motion passed unanimously and will go before the Village Board on April 26, 2023.

- c) Case No. HG-2308-V, 14298 S Bell Road (Public Hearing): Consideration of a request for a Variance from the 75-55.A. the Gross Emission of Light requirement to increase the maximum lumens per acre from 100,000 to 150,400 for certain real property located at 14298 S Bell Road, Homer Glen, Illinois (McDonald's Corporation and Franchise Realty Investment Trust – IL, a Maryland Corporation). [HG-2308-V]**

Director King provided facts for this case, and explained that the applicant (McDonald's Restaurant) is proposing to relocate two (2) existing parking light poles on the east side of the existing parking lot in light of the upcoming widening of Bell Road. Also, the request includes a variance request regarding the gross light emission requirement, and increasing the maximum lumens per acre from 100,000 to 150,400 due to the loss of acreage.

The Village's consultant engineering firm reviewed this request for compliance. The applicant is not adding any new lights, the two (2) existing poles along the east side of the parking lot are being relocated just west of where the lights currently stand and the lamp heads are being reduced from two-lamp heads to one lamp head, which will reduce the lumens per street light by fifty (50) percent. Because the land area is being reduced, this is impacting the increase in lumens per acre.

Staff has not received any public comment on this case. Staff concluded their report.

Commissioner Stanly made a motion to open the public hearing, seconded by Commissioner Bugos-Komperda. All in favor, zero (0) opposed, the motion passed unanimously.

Attorney Arnold was present and approached to re-affirm the statements made by Director King were accurate. No other comment.

Commissioner McGary made a motion to close the public hearing, seconded by Commissioner Foley. All in favor, zero (0) opposed, the motion passed unanimously.

Staff did correct that a call was received by former Trustee Sweas, who has a strong opinion about the lighting ordinance, and she had concern about it and was looking for clarification. Ms. Sweas did not say whether or not she supported it.

No discussion by the Commissioners, however Vice Chair Hand had a question about the Kelvin of the lights. He asked if they are currently 5200K, and staff stated they believed that they currently are. Vice Chair Hand mentioned the code that was discussed, that the code to replace is 25% and staff said that this if it doesn't comply, so they need to either bring it up to code or ask for a variance. In this case, the 5200 has been granted, it has been codified, and even if they replace, the 5200 is allowed to them.

Commissioner McGary added that there isn't any residential property in this vicinity.

Commissioner Verdun said that she went back and looked what came through the Village Board back in 2014 and it was split with 3 no's and 3 yes's in the vote and the Mayor voted in favor at that time.

Commissioner Bugos-Komperda stated she finds the lot is dark and for safety of the kids walking through that lot there is concern for their safety.

Commissioner Verdun said when reading the decision of 2014, there were concerns that it would be too bright but the current Plan Commissioners all find that it is dark, so it is interesting. Commissioner Verdun wonders if the County will be putting in streetlights too.

No other discussion and Vice Chair Hand asked for a motion.

Commissioner Foley made a motion to adopt staff's findings as the findings of the Plan Commission and to recommend approval of a request for a Variance from the 75-55.A. the Gross Emission of Light requirement to increase the maximum lumens per acre from 100,000 to 150,400 for certain real property commonly known as 14298 S Bell Road, Homer Glen, Illinois. (McDonald's corporation and Franchise Realty Investment Trust – IL, A Maryland Corporation). The motion was seconded by Commissioner McGary. A roll call vote was taken with Commissioners Foley, Bugos-Komperda, McGary, Stanly Verdun and Vice Chair Hand all voting in favor six (6) to zero (0). The motion passed unanimously and will go before the Village Board on April 26, 2023.

7) Old Business

None.

8). Reports of Plan Commissioners and Staff

Director King said we have 2 cases for the next meeting.

Secretary Cassin reminded the Commissioners to reply to Sarah regarding their interest to return to the Plan Commission after their term expires in May, if they have not yet replied to her.

Commissioner Verdun announced to all that she would not be returning to the Plan Commission as she has some other volunteer opportunities she would like to explore and stated she has very much enjoyed the work of being a Plan Commissioner. The Plan Commission expressed their appreciation for her work and she will be missed.

9) Adjournment

A motion was made to adjourn by Commissioner Foley, seconded by Commissioner Bugos-Komperda. All in favor, zero (0) opposed and the meeting was adjourned at 8:03 PM.

Minutes transcribed and respectfully submitted by Gia Cassin.

Gia Cassin (*Plan Commission Secretary*):



Approved Date:


