

Plan Commission

Minutes of the Meeting on
May 18, 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 6:59 PM

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

3. Roll Call

Members present: Commissioner Bradarich, Commissioner Foley, Commissioner Bugos-Komperda, Commissioner McGary, Commissioner Stanly, Commissioner Verdun and Vice-Chair Hand. Also present were Planning and Zoning Director King, Assistant to the Village Manager Cassin and Plan Commission Secretary Pesavento.

Not present: None.

4. Minutes

a) April 6, 2023

A motion was made to approve the minutes from April 6, 2023 by Commissioner Stanly, seconded by Commissioner McGary. All in favor, zero (0) opposed. The motion carried.

b) April 20, 2023

A motion was made to approve the minutes from April 20, 2023 by Commissioner Verdun, seconded by Commissioner Foley. All in favor, zero (0) opposed. The motion carried.

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-2311-V, 14316 W Hickory Ave (Public Hearing): Consideration of a request for approval of a Variance to permit an accessory structure in the front yard where accessory structures are not a permitted obstruction for certain real property located in the R-1 Single-Family Residence District at 14316 W Hickory Ave, Lemont, Illinois (within Homer Glen Corporate limits).**

Director King presented the facts of this case. This is a request for a variance to permit an accessory structure in the front yard where accessory structures are not a permitted obstruction for property in the R-1 Single-Family Residential District. The applicant, Leonel, lives at the subject property, 14316 W Hickory Avenue.

They are proposing to install an accessory structure to the south of their principle residence. Per the Village Code, accessory structures are not allowed to be constructed between building and the front lot line, which is the front yard. This structure will also require material variance. It is being proposed to be constructed with vinyl siding. That is something we can typically address administratively with the village manager with a recommendation from a Building Official. Our Building Official would like Village Board to weigh in on this variance request because it is being

constructed in the front yard and the home is all brick. This would then go in front of the Village Board with this recommendation.

Homer Fire District did have some comments. On the tail end of us hearing the 14300 Hickory case with the ComEd line issue, this is right next door. He wanted to make sure there were no issues with ComEd lines on this property as well and to make sure this structure would only be used for residential purposes alone. We can ask the petitioner about that tonight and verify. I know just from looking at the property site and I'm sure commissioners have visited the site, that I did not physically see any ComEd lines on this property.

We only received one (1) letter of support from the neighbor to the east. They have no issue with the zoning request.

These are some images of the yard. You can see the front of the property is pretty much grass. There are some trees along the east side of the property and then a lot in the back is pretty forested. The property is a lot like 14300 Hickory, where it is pretty flat in the front. The topography goes up pretty fast in the back. The houses are set really far back by the forested area. There really is not a lot of area to put accessory structures except in the front yard. This is the structure that is being proposed. This is the same map that was put together from the other zoning case, and the subject property has been marked. You can kind of see how this area (neighborhood) has a number of front yard structures that were already existing (prior to incorporation).

Here is the zoning compliance table that shows other than the fact that it is in the front yard, the structure meets the ordinance. You can see the overall size is under the eighteen hundred (1800) square feet. The set-backs are met from the side, rear, and front. This will also get an administrative reduction on the east side. That is something that I can do (as zoning officer). I would wait until we look at this to make sure Plan Commission is okay with where it is being located before that reduction is granted.

Then we have similar variances that have been granted in the past. I did end up adding one (1) of these today because we found one in the ordinances on the network that was granted in 2010. They (previous village planners) were calling the variance to "allow accessory structures to be located in front of the primary structure".

The findings include: the homeowner has limited area in which to site the structure and the rear yard is restricted. It is highly forested and high topography. There is also floodplain in the front yard. Vice-Chair Hand said that is what they are showing (floodplain). The character of the neighborhood Creekwood has a lot of front yard structures already.

That concluded the presentation.

A motion was made to open the public hearing by Commissioner Stanly seconded by Commissioner Verdun all in favor, zero (0) opposed. Motion carried.

The petitioner Leonel Ortega did not have any comments to add.

A motion was made to close the public hearing by Commissioner Bradarich, seconded by Commissioner McGary all in favor, zero (0) opposed. Motion carried.

Commissioner Verdun has a question for staff. You said Building Official Baber wanted us to weigh in on the siding before the Village Board, I wasn't clear on that? Director King said typically the variance allowed in the building code with regard to external materials has a number of different options (for variances). A new house, if it has any alternative materials it has to go to the Village Board. Accessory structures can actually be waived by our village manager. The code says there are still standards that have to be met. They have to write them up and then they get presented to the Village Manager and it goes with recommendation from Joe the Building Official. So, typically vinyl siding is a prohibited material although the variance section does we can authorize prohibited materials. On a single-family residential structure, it cannot, we would typically want Hardie Board or LP siding. The variance for the accessory structure is a little different and little bit more lenient. I think because of the nature with this structure being located in the front yard, he felt uncomfortable making that decision alone and wanted a recommendation.

Commissioner Verdun has an additional question to staff. I understand now and don't know why I was misunderstanding that before. Maybe we have not seen a lot of those. Director King said I don't think we have. A lot of times you might not even know it because if the house isn't brick it is not even applicable to start with. Commissioner Verdun said my second part to this in the neighborhood character stuff you gave us, there is at least maybe eleven (11) other front yard structures. It is typical because of the topography of the neighborhood and everything else to have those structures in the front. Can you do a poll with Official Baber and see what everyone else is doing? Would that help weigh in on anything? That is the only thing I can think of. Director King said I think that if this gets weighed in at Village Board that we will present the materials of those structures to the Board members. So, for example if there are nine (9) of them with vinyl siding then the Village Board will be more inclined to approve. I don't really know. I don't know if they have ever looked at one like this. Commissioner Verdun said I'm guessing you just brought it up because I know when I read it in the packet and saw the vinyl there, I was like why is this okay? Director King said we actually permit quite a few structures that have vinyl siding. We have a lot of homes that are constructed with vinyl or constructed with alternative materials that are not masonry, meaning that it is not required. We have had a few that have gone in front of Carmen and they are okay based on where they are located. Joe has no problem because of where they are located or what the neighborhood is like, but I think the nature of this being in the front he just wants a recommendation.

Vice-Chair Hand asked so the house to the east, their proposed building is a pole barn, right? Director King said I can't remember off the top of my head. It might have been metal. That house is not brick. This is a perfect example of showing that in the same district and right next door; you would think there would be the same applicability (for zoning) and it is not. Vice-Chair Hand said with the house being brick, non-brick on the garage and then different siding, it is almost like two (2) levels of variances rather than just a one step thing. I think it is important where you look at the neighborhood and see what the others are. I can totally understand not to do the brick, but I think the pole barn might look better in vinyl siding. Do we want to put a condition on our motion? Director King said you absolutely could if you would like to. Vice-Chair Hand said the motion is only for the placement in the front yard. Commissioner McGary said you made the decision not to give us the variance for the final siding. Director King added just to be clear that is because the procedure is typically village manager otherwise the decision is made at the Board (with no requirement for a hearing at Plan Commission). Somebody could come in and opt to re-side an existing commercial building that doesn't require any review by Plan Commission and that materials variance, if not masonry would just skip the Plan Commission and go right to the Village Board. Director King said because the structure is in a front yard and it is a variance, I think you have the ability to make recommendations and conditions. The Village Board can do with that what they would like to do. I think it depends on what the Plan Commission feels collectively.

Vice-Chair Hand said it's a large structure. It is away from the street and there are some trees in the front there. Director King asked the petitioner if there are trees in the front? The petitioner replied, yes. Director King said there is a row of trees. Vice-Chair Hand said what really concerns me is the south elevation. Looking at the south elevation it just has the one (1) window and it looks out of proportion. That really is the only side of the drive that you'll be seeing. I don't know if that is the building department. We don't normally make this kind of call. What I can add on there, I do this kind of work, is where the gable can be a different color or shape. The drawing shows from the overhangs up to the peak, that could be a different siding or color. The petitioner said we can do something different, but I don't want vinyl. Vice-Chair Hand said Hardie siding and LP Smart siding both have a shape that is great looking and really you don't even need to put it on the north elevation. That is just my idea and maybe two (2) windows would look larger. It is good to have an extra light in the garage too. If there is no brick and we got the call on what kind of siding, that is just my opinion.

Commissioner Bradarich said it seems you could make this building more attractive than it is. If your overhangs were a little bigger on the building it would really make a difference. If you had maybe two (2) windows that are larger. I also like the idea of changing the color of the gable to darken it up. Even if you went to a wider vinyl siding rather than what appears to be a four (4) inch vinyl siding on this picture, but it is hard to tell. I think wider siding would even look better. As it is right now it doesn't look that attractive for a front yard structure.

Vice-Chair Hand asked if we can just make a recommendation? Director King said she does think we can do things like that so I'm just wondering if you can make a motion and instead of saying subject to the following conditions, you can say with the following recommendations. You would then just make them and we would include that in the text. I heard potentially, extend the overhang on the east, add a different window, a little larger on the south. This is all on the south elevation. Change the color or the siding style because you can do a different style on the siding in the gable area. Commissioner Stanly asked if these are just stock photos that they submitted? Director King asked the petitioner if this is a custom garage or like a kit? Petitioner answered that is custom. Commissioner Stanly added that it could go for a little bit more and look a lot better. It is very plain. Vice-Chair Hand said that I think the builders are going to want to put overhangs on them. The other thing to be done on a big gable, the triangles look like a vent up there, it can kind of break that up. There is a lot you can do with it. If your siding man has any input, he will help you out. Commissioner McGary added that it is always to your benefit for a nicer presentation.

Commissioner Verdun has one more question for staff. In your report Melissa, you talked about someone that had concern inquiring from the fire protection district with regards to the ComEd situation that was next door. There was a comment about what the use of the building was for. They were concerned about the use of the building? Director King said they wanted to verify that the accessory structure would only be used for residential use. Commissioner Verdun asked, have you talked with the petitioner about that at all, or no? Director King asked Leonel, will this structure be used for just residential purposes? Vice-Chair Hand asked what will you be keeping in this is basically what we are asking? Leonel said his van and one (1) trailer. Commissioner Verdun said you have three (3) overhang doors. The twelve (12) foot one is for the trailer the other is for motorcycle. Commissioner Stanly asked if the trailer is your camper? The petitioner said it is a little higher. Commissioner Stanly asked, so it won't be used for a business? This is all just your home stuff like your ATV's and motorcycle? The petitioner replied, yes. Commissioner Verdun asked, so no business in the building? Director King asked, you won't build an office in there? The petitioner replied, no. Commissioner Foley asked, are you running a business out of there? Commissioner Verdun asked, you're not going to be doing any construction, welding or fix

cars or anything like that? The petitioner said no. Vice-Chair Hand asked, basically your existing garage just doesn't cut it? Petitioner said, no. Vice-Chair Hand said I see very few that do.

Vice-Chair Hand said as long as I have you up here, I know that creek has flooded two (2) or three (3) times close to your property, right? The petitioner said yes. Vice-Chair Hand asked, did it actually come up onto your property? How long have you been there? The petitioner said about a year. Vice-Chair Hand said this would have been ten (10) years ago and then like twenty (20) years ago. The creek would flood through Chickasaw and Erin Hills there and going over your direction that flood plain is really far from the creek. I was just wondering if you had water on your property at all? The petitioner said no I don't have water. Vice-Chair Hand said the placement of the garage is off of the flood hazard area so that is good.

Vice-Chair Hand asked, any other questions? Director King added that the size of the structure is within the allowance for this residential district. Vice-Chair Hand asked, on the site plan on the east property line you're showing the five (5) foot setback, but that is with the variance? Director King answered, correct. There is an administrative variance allowed to be signed off by a zoning officer down to five (5) feet for garages. Vice-Chair Hand asked, so the original setback is twenty-five (25) feet? Director King said typically when we process these in the office, if a structure meets everything else, I can still sign off on those. In this one the alternative is putting it in the middle of his yard on the opposite side of the driveway or visually in front of his house. It is not going to go in his backyard. It is not going to go in the flood plains. It is really the only place to stick this thing. We also reach out to the neighbors. This is basically what happened, we found someone else who wants to put up a front yard structure on their property, who is also getting a reduction in the setback. I am not shocked they were supportive, but standard practice is to reach out to the neighbors.

Gia asked, are you changing the language of the motion or are you adding conditions? Director King said they are adding recommendations.

Vice Chair Hand asked for a motion. Commissioner McGary made a motion to adopt staff's findings as the findings of the Plan Commission and to recommend approval of a Variance to permit an accessory structure in the front yard where accessory structures are not a permitted obstruction for certain real property located in the R-1 Single-Family Residence District at 14316 W Hickory Ave, Lemont, Illinois (within Homer Glen Corporate limits) with the following recommendations for a better presentation:

- 1) *Extended overhangs.*
- 2) *Two (2) larger windows on the south elevation.*
- 3) *Use of wider or even alternative siding.*
- 4) *Alternative or use of different color siding and maybe a vent on the gable.*

The motion was seconded by Commissioner Bradarich. A roll call vote was taken with Commissioners Foley, McGary, Bradarich, Bugos-Komperda, Verdun, Stanly and Vice Chair Hand voting in favor seven (7) to zero (0). The motion passed unanimously and will go before the Village Board on June 14, 2023.

Vice-Chair Hand explained that this is a recommendation and asked, will it be more for the Board or building department that will make this decision? Director King said it will all go to the Village Board on June 14th, 2023.

7) Old Business

None.

8). Reports of Plan Commissioners and Staff

Vice-Chair Hand said I believe we have some reports of the Plan Commissioners related to the open seat on the Plan Commission and how we are going to go about guiding the selection. Vice-Chair Hand asked, I think we all got the email yesterday? Director King replied, correct. Vice-Chair Hand asked and you're looking for a recommendation by today? Did you get the email? A lot of Plan Commissioners said they did not get the email. Gia asked, did you guys check your email? Vice-Chair Hand said actually it's academic now because I didn't feel there was enough time on this. We would like to get some resumes to have a better idea of qualifications for everybody. So, there were fifteen (15) applicants and it would be almost like if we were to pick someone out of a hat. There was very little information. Vice-Chair Hand asked Melissa, am I the only one that got it? Some of the Plan Commissioners added that they did get it. Commissioner Bradarich asked what did it say? Vice-Chair Hand said that Melissa sent copies of the applications, which are the same applications that we filled out to renew our terms. It is the exact same one. Commissioner McGary added that it is evidently a blanket application for any committee. Vice-Chair Hand added that there is no space to put your qualifications or experience. A few people did, but many did not. I feel like to be fair to everybody we need to ask for resumes and give a certain timeline and then we will take a look. So, that is what Melissa is going to work on.

Commissioner McGary said we had resumes, like when Commissioner Bugos-Komperda applied and it was nice. Commissioner Bugos-Komperda said, yeah because she wanted to know the background. We talked about that before the meetings. Some people had nothing and they were like we will just disqualify them off the bat because we don't know their background. Commissioner McGary said and that is kind of not fair. They could be well qualified. Vice-Chair Hand said I think how to start over with these people is to get everyone on a level playing field and send in their resume and if they don't send it in then we won't accept you, but at least we will have them. Commissioner Verdun said it sparks interest. If you expressed your interest, please send in your resume with your background information. Gia said that for Plan Commission we could attach something or some verbiage that says when you apply to attach a resume because this is going to be an annual event since we have people rolling off and on. Vice-Chair Hand said it is what we all did. Commissioner Verdun said I don't know if anything changed between the time I came on and you guys came on. When I was asked, I was asked to put together not a work resume, but a community resume. I did put my work history in there, but also my community and volunteer activities so I think that is what we are looking for. We got copies of the form for everybody that didn't see that email yet and there was a spot where you could put in your comments or experience. Some people didn't put anything in. They just have us their name, address, and phone number. Vice-Chair Hand added it wasn't very clear. Commissioner Verdun said some people filled it out for Plan Commission, but some filled it out and said they wanted to be on Parks and Environment.

Director King said to answer your question Jay that I heard you ask, in the past what we have done is what John, Beth and Lynn are saying which is that Gia would collect resumes. We would post it, receive applications from people, except resumes and then those resumes would be forwarded to the director and plan commissioners to review. Then they would make recommendations to the mayor. That was the process in the past. This year everything has been streamlined with also the collection of the applications for the committees through our website. You can go online and submit digitally. There is also an application still out there. Gia said that in actuality I had started this in February, it just took a while to get to the surface. The real intent was

to have all the things and kinks worked out and everything done by May 9th, so then I could move forward productively, but it just didn't work out that way. Commissioner Verdun said everything you got here to judge interest and to gather people who might interested, but then I don't think you should base the decision just on that. You have these people contact information so it is very easy to back to them and say we see your interest we just need a resume.

Vice-Chair Hand said so that is our recommendation. Director King said to have a little bit more time and get resumes. Gia said we would have to give the people a pretty quick turnaround time. I don't want it to drag out. Vice-Chair Hand said I was thinking like two (2) weeks maybe. Commissioner Bugos-Komperda said I was thinking like one (1) week to review it and two (2) weeks to look at them. Gia asked so what is your timeline? Commissioner Bugos-Komperda said I think we should give it one (1) week because then we have two (2) weeks and it gives us time to look over them. Vice-Chair Hand said by the time the packet comes out. Director King said so if everyone is okay with this, including our mayor I can send an email out as soon as tomorrow to these people. Our meeting isn't until June 1st, these wouldn't be in the packet though. It will all be dependent on if we do it in one (1) week, you're going to get them back and the timeframe to look at them. You have a week and then you would have a week to look at them. Gia asked when do you want to make your recommendation so it can go to the June 14th, Village Board meeting? Does it have to? Director King said I think that decision is up to the mayor and Carmen. I think what Laura and John are saying that is if we can do this in a quicker turnaround than they can not hold up the process any further and then it would come back to the Plan Commission at the next meeting for recommendation.

Director King reported that there is one (1) case for a special use permit for a pool. You might be familiar with this property. It is just north of 167th on the east side of the street. They are building a new house there and it is quite large. They did some work on the pond and just to be clear that work was not permitted although their house permit was obviously permitted. They are under review with Brett right now to work on a site development permit to rectify some of the work that was done. That was done in an area that is sensitive and it is not stabilized either. That is ongoing. Vice-Chair Hand asked separate from the pool? Director King replied, correct. We had a big talk about this in our office if Brett was okay with this moving in front of you. It is very separate and way in back of the property, but just so you understand we can condition it if we need to. There are other building permits in our office that are on hold that are not being released until this is fixed. The owner does know that this will probably be conditioned and recommended to you as a condition that the building permit not be released until such time that the front is fixed. At least until they have submitted a site development permit in full with how they are going to fix it and that has been issued. Vice-Chair Hand asked so I take it when they built the house the work that they did was not on the site plan? Director King said the stuff near the pond was not on the site plan, correct.

Commissioner Foley asked is that the one (1) with the gate in front of the house and the gazebo on the south side? Director King replied, yes. They put a bunch of landscaping. It does look nice and the house is beautiful. We have received two (2) called about this piece. It is kind of weird because the houses are almost on a forty-five (45) degree angle. It might even be more than that. I actually had to sit on it for two (2) nights and be like is it really in the side yard? It is awkward because the point of the building is what dictates that building line and your brain is like this is really a rear, but technically it really isn't. The neighbor to the south is very close to this side yard and they didn't call. They may be here. I'm not sure if they are coming or not. We had another call today, but they are not next door and were not concerned. Commissioner Verdun asked the petitioners on Parker, the neighbor is on 167th? Director King replied, correct. The neighbor's land is a very flat lot so they are way in the back. Their house is actually on the back property line. It

is oriented really weird. There is a huge forest between the two (2) of them. Taylor and I will do some digging in on that to understand. I think Taylor is going to head out and do a site visit from the location of the back of the house to take pictures so we can understand what it looks like between the two (2) properties and the visibility. Commissioner McGary asked and you can't really see this from the street? Director King said no, you wouldn't be able to. We have access on the property because of the building permit. We will just let them know were entering because of the case so we will go on there and take some pictures. Commissioner Verdun said my brother is on that gravel lane north, like two (2) properties north. There is like seven (7) or eight (8) houses back there that back there and some of those houses back up to it. If you need someone to help you find how to get in or walk access and stay out of poison ivy, he can help you out.

Director King said we did get a resubmittal for Heritage Woods, which is the senior housing development that is proposed next to Marian Village. They have been on hold for quite some time because there were some pretty big engineering issues, which I think they have overcome. It is going on close to one (1) week with HR Green right now. It is due back on May 24th, which is the day before the notice would go to the paper. We would be hopeful that we would get a preliminary engineering okay and it would come to the Plan Commission on June 15th. Commissioner McGary asked, so this is senior housing? This is not what Marian Village wanted to propose? Director King said no, this is on T-Time next door. It is a single building. I think it is three (3) stories. It is set pretty far back. It is going to be a PUD and there is a separate front parcel that is going to remain commercial. One of the things we did have them do is add a conceptual commercial layout so we can see that is feasible to construct on the piece of property. It is smaller than we normally see and it was concerning to staff about the feasibility of it.

Commissioner McGary asked this is east of Marian Village? Director King replied, yes. The Village Board had dug their heels in at the workshop and they really wanted commercial to remain on this property because the use is not a sales tax generated use. There are just some complications of that along the corridors if we continue to allow development to come in that doesn't produce sales tax. I think the Village Board has the purview to do that. If it came around and they are playing by the rules we will see how it goes. That is kind of our trajectory, is June 15th for Plan Commission. Commissioner McGary said don't you think the Village Board would be more attracted to somebody else for the property? Would it be just another medical building? Director King asked in the front? Commissioner McGary replied, yes. Director King said it could be. Commissioner McGary said that is not tax producing either. Director King said in their plan they have a three (3) tenant commercial space that I think is what is shown in that commercial plan. They did provide letters of intent from tenants that could go in there. Two (2) of them were medical users like you're saying because they have relationships with these types of users. I'm not really sure if it's beneficial to show those or not even though I have them in my prosecution. They don't necessarily have to build this. I think they're just showing that not only can we build this and it will fit, but we also could house the tenant space if we needed to.

9) Adjournment

A motion was made to adjourn by Commissioner Stanly, seconded by Commissioner Verdun. All in favor, zero (0) opposed and the meeting was adjourned at 7:45 PM.

Minutes transcribed and respectfully submitted by Sarah Pesavento.

Sarah Pesavento (Plan Commission Secretary): Sarah Pesavento

Approved Date: 6/15/2023