1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Roll Call.
4. Public Comment.
5. Minutes.
   a) January 16, 2020

   a) **HG-2001-S, 17045 S. Parker Road (Public Hearing):** Consideration of a Special Use Permit for an existing single-family home (approximately 4,100 SF), (i) on a lot of less than five acres of land area, but at least one acre in size when topographic or other geographic considerations make the active farm use of the property impractical; to permit an addition with an attached garage to the existing single-family home (approximately 7,900 SF); and (ii) an exception to decrease the minimum side yard setback, on the west side of the property along the proposed addition, from 50' to 14', for certain real property located in the A-1 Agricultural District at 17045 S. Parker Road, Homer Glen, Illinois.

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

8. Adjourn.
Plan Commission

Minutes of the Meeting on
January 16, 2020

DRAFT

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 7:01 p.m. by Chairman Backal.

2. **Pledge of Allegiance to the Flag.**

3. **Roll Call.**

   Members present at 7:01 p.m. were Chairman Backal, Member Kozor, Member Verdun, Member Stanly, Member Foley & Member McGary.

   Also present were the Director of Planning and Zoning Vijay Gadde, Senior Planner King, Trustees Sharon Sweas and Keith Gray and the Plan Commission Secretary, Gia Cassin. The minutes were recorded and transcribed by Gia Cassin.

   Members absent: John Hand

4. **Public Comment.**

   Resident Chuck Galer, President, H.O.A. of the Meadowcrest subdivision, spoke about his concerns about a single-family home being converted to a small nursing home within the community.

5. **Minutes**

   a) **December 5, 2019 Minutes**

      Chairman Backal asked if there was a motion to approve the minutes as written. Member Verdun spoke up that she would like to see the correction for Member Foley’s name. All agreed. Member McGary made the motion to approve the minutes as written, with the correction of Member Foley’s name to be noted. The motion was seconded by Member Kozor. All in favor, zero (0) opposed, the motion carried.

6. **New Business**

   a) **Citizen Planner Training:** Plan Commissioners Training by Marty Scott, AICP and Emily Egan, AICP, trained faculty from the APA-IL and the Chaddick Institute for Metropolitan Development.

      Director Gadde introduced the trainers. The trainers presented PowerPoint slides which included information regarding Planning and Development 101, tools of the trade, roles of others in the process, responsibilities of members of the Plan Commission and tricks of the trade. Members asked questions throughout the presentation and how it relates to the Village of Homer Glen and regarding annexation.
7. **Reports of the Plan Commissioners and Staff (includes Old Business).**

   Director Gadde stated that the Planning and Zoning department had not received any applications for the February 6, 2020 meeting up to that date and will likely be cancelled.

   Director Gadde made sure to verbally invite the Plan Commission to attend the Design Charrette Meeting on February 11, 2020.

   Member Verdun spoke up on behalf of the Steering Committee about the Comprehensive Plan, and stated there a meeting was not planned for January. In February or March, the consultants will be presenting their drafts on housing and retail items and will be making recommendations through the Spring.

8. **Adjournment.**

   Chairman Backal asked for a motion to adjourn the meeting. Motion to adjourn was made by Member Foley, seconded by Member Stanly. All in favor, zero (0) opposed. The Motion Carried and the meeting was adjourned at 9:17 p.m.

Respectfully Submitted: Gia Cassin

Chairman Backal: ____________________________

Approved (Date): ____________________________
To: Chairman and Members of the Homer Glen Plan Commission

From: Melissa King, Senior Planner/Project Manager

Meeting Date: March 19, 2020

Agenda Item Number: 6.a

Subject: Case No. HG-2001-S, 17045 S Parker Road

Item Title: Consider a request for (i) a Special Use Permit for an existing single-family home (approximately 4,100sf) on a lot of less than five acres of land area, but at least one acre in size when topographic or other geographic considerations make the active farm use of the property impractical; to permit an addition with an attached garage to the existing single-family home (approximately 7,900sf); and (ii) an exception to decrease the minimum side yard setback, on the west side of the property along the proposed addition, from 50’ to 14’, for certain real property located in the A-1 Agricultural District at 17045 S. Parker Rd., Homer Glen, Illinois. [Chapter 220 (Zoning) of the Code of the Village of Homer Glen]

Property Information

Location: 17045 S Parker Road (See Attachment 1 and 2)

Property Size: Approx. 115,879 S.F.; 2.66 Acres

Existing Zoning/Use: A-1 Agricultural District/Single Family Dwelling

Adjacent Zoning: N: A-1 Forest Preserve (Messenger Woods)  
E: R-2A Single-Family Residential  
S: A-2 Agricultural/Single Family Residential  
S: R-1 Single-Family Residential  
W: R-2 Single-Family Residential

Background Information

The applicant, Brian Pemberton, lives on the subject property located at 17045 S Parker Road. The two and a half (2.5) acre wooded parcel is located on the north side of Parker Road on the S-curve south of 167th Street. The property is situated adjacent to and directly south of Spring Creek and features wetlands, significant floodplain and is heavily wooded. The property is developed with an approximately four thousand one hundred (4,100) square foot single family dwelling (built prior to 1997) with a deck off the north/rear. The home is serviced by well and septic. The septic is located to the rear of the home and the wellhead is in the front of the home, see Attachment 3.
In 2011, the applicant was granted a variance for a reduction in the required masonry material for the renovation of the existing single family home and for the construction of a detached accessory structure; and a variance to permit the detached accessory structure to be located beyond the front wall of the principal structure, see Attachment 7. This project did not go through any preliminary engineering review in 2011, as it was not practice or policy of Village staff at the time.

To date, the renovation to the existing principle structure nor the construction of the detached accessory structure have not been built.

In 2019, the applicant, Brian Pemberton, reapplied to construct a detached accessory structure in a very similar location to the original location proposed in 2011. An engineering review was completed and it was discovered that the location of the proposed garage was in a wetland, see Attachment 3. Two wetlands were discovered on the property, one near the southeast corner of the home and one on the east side of the property near Parker Road. These wetlands are in addition to a wetland/floodplain area situated north of the principle structure that had already been identified on the property.

In early 2020, the applicant resubmitted a new plan showing the previously “detached” accessory structure now “attached” to the principle dwelling as an addition. By attaching the structure to the home, the legality of the principle structure came into question. The underlying zoning of the property is A-1 Agricultural. In that zoning district, for a single family home to be permitted by right, it needs to be constructed on at least ten (10) acres of property. A Special Use Permit is required for a single-family home to be on a lot of less than five acres of land area, but at least one acre in size when topographic or other geographic considerations make the active farm use of the property impractical. This property measures approximately 2.66 acres, thus requiring a Special Use Permit.

In addition to the Special Use Permit, the existing single family home and the proposed addition are triggering an exception/variance to the required side setback. The applicant is requesting a reduction from the required side setback of fifty (50) feet to fourteen (14) feet along the west property line, see Attachment 3. When looking at the potential to grant an exception/variance it can be helpful to look at similar requirements for adjacent properties. The adjacent properties to the east and west are in two different zoning districts, R-2 and R-2A. The side setback requirement for principle structures in both of those districts is twenty (20) feet. The applicant is proposing to re-vegetate/landscape the areas to the south and west of the new addition with large evergreens to provide screening/buffering along the proposed building.

Conformance with Zoning Code
Findings of Fact: Section 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a Special Use Permit. The Code requires that the Plan Commissioners consider these standards in making its finding and determining a recommendation to send to the Village Board, see Attachment 6.

Staff concurs with the following evidence to support the single family dwelling and addition on a property of this size in A-1:
- The property is at least one (1) acre in size.
- The property has geographic considerations that make active farm use of the property impractical.
This property is surrounded by rural/estate residential homes. (homes in the area range from two thousand (2,000) to six thousand five hundred (6,500) square feet with additional square footages for accessory structures/buildings/pole barns)

This property is surrounded by rural/estate residential homes of similar lot size. (lots in this area range from one (1) to ten (10) acres)

While this would be one of the largest homes in the area, the proposed principle structure renovation/addition and other applicable areas that are included in lot coverage do not exceed the lot coverage allowance for A-1, which is twenty (20) percent. Lot coverage for the adjacent lots within R-2 and R-2A are twenty (20) and twenty-five (25) percent, respectively.

Staff concurs with the following evidence to support the addition in this location on the property:

- The property is restricted due to the presence of numerous wetlands.
- The property is restricted due to the floodplain present along the north property line.
- The property is restricted due to the buffers for the wetlands and the floodplain required by the Village under the Lowland Conservancy Overlay District.
- The potential location of an addition or detached structure is restricted due to the location of the septic system and well head.

Conformance with other Codes

Exterior Construction Standards (Chapter 75, Article II):
The Exterior Construction Standards do apply. The previous variance granted for this home, under Ordinance 11-024, is not valid since “a building permit was never obtained within such period (one (1) year post approval) nor was the erection or alteration of the building started or use commenced within such period.” The applicant will need to apply to the Board of Trustees for a Variance from the exterior construction standards masonry requirement.

Mr. Pemberton is requesting relief from the masonry requirement of the Exterior Construction Standards Ordinance for the renovation of the existing single family dwelling and the addition. The structure will be constructed with an exterior finish of natural “ipe” (also known as Brazilian walnut, this is a high end hardwood) wood siding with a 4½‘ knee wall of fieldstone and limestone wrapping the entire first floor of both structures.

Outdoor Lighting (Chapter 75, Article II):
The Lighting regulations do not apply to this request as no exterior lighting has been proposed. If any outdoor lighting is proposed in the future it will need to meet all applicable regulations of Chapter 75, Article II.

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 do apply to this request. A preliminary engineering plan has not been submitted, reviewed or approved by the Development Services Department for the latest plan submittal.

Lowland Conservancy Overlay District Chapter 138, Article I):
The Lowland Conservancy Overlay District regulations do apply to this request as there are wetlands and floodplain present on the property that require a buffers. A preliminary engineering plan has not been submitted, reviewed or approved by the Development Services Department for the latest plan.
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 – Estate Residential.

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 adopt the attached findings as the findings of the Plan Commission and to recommend ______________ (approval / approval with conditions / denial) of a request for (i) a Special Use Permit for an existing single-family home (approximately 4,100sf) on a lot of less than five acres of land area, but at least one acre in size when topographic or other geographic considerations make the active farm use of the property impractical; to permit an addition with an attached garage to the existing single-family home (approximately 7,900sf); and (ii) an exception to decrease the minimum side yard setback, on the west side of the property along the proposed addition, from 50’ to 14’, for certain real property located in the A-1 Agricultural District at 17045 S. Parker Rd., Homer Glen, Illinois. [Chapter 220 (Zoning) of the Code of the Village of Homer Glen]

Attachments
1. Aerial Context with Zoning
2. Aerial with Contours
3. Plat of Survey/Site Plan
4. Architectural Elevations
5. Zoning Review
6. Findings of Fact
7. 2011 Approved Site Plan
Attachment 2 – Aerial with Zoning
**Attachment 5 – Zoning Review**

### Parcel Information
- **Permit Type:** Addition/Garage
- **Address:** 17045 S Parker Road
- **P.I.N.:** 160526100021000
- **Zoning:** A-1
- **Lot Type:** Single Family Dwelling
- **Proposed Structure Type:** Addition/Attached Garage

### Zoning Review

<table>
<thead>
<tr>
<th></th>
<th>Ord</th>
<th>Existing or Proposed</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>10 Acres or 435,600sf</td>
<td>115,869</td>
<td>*Ok, already developed/no change to lot</td>
</tr>
<tr>
<td>Lot Width</td>
<td>330</td>
<td>193</td>
<td>*Ok, already developed/no change to lot</td>
</tr>
<tr>
<td>Lot Frontage</td>
<td>330</td>
<td>204</td>
<td>*Ok, already developed/no change to lot</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>N/A</td>
<td>596</td>
<td>*Ok, already developed/no change to lot</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>100/77</td>
<td>193</td>
<td></td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>50</td>
<td>W14; E53</td>
<td></td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>50</td>
<td>211</td>
<td></td>
</tr>
<tr>
<td>Maximum Height</td>
<td>35</td>
<td>*Must meet code</td>
<td>Measured at the mean height</td>
</tr>
<tr>
<td>Structure Exterior Materials</td>
<td>100% of first floor brick or stone</td>
<td>*Requesting a variance</td>
<td>*No Plywood, Vinyl or Aluminum siding on new residential structures</td>
</tr>
<tr>
<td>No. of Garage Bays Facing Public R.O.W.</td>
<td>3</td>
<td>2</td>
<td>See 220-614 for side loaded garages</td>
</tr>
<tr>
<td>Maximum Width of Driveway</td>
<td>28 at property line</td>
<td>12</td>
<td>Measured at property line; circular drives with two curb cuts are maximum 14' at property line</td>
</tr>
<tr>
<td>Driveway Side Yard Setback</td>
<td>5</td>
<td>OK</td>
<td>Minimum</td>
</tr>
<tr>
<td>Flood Zone/Plain</td>
<td>OUT</td>
<td>APPEARS OUT</td>
<td></td>
</tr>
<tr>
<td>Easements</td>
<td>OUT</td>
<td>OUT</td>
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</table>

### Impervious Coverage

<table>
<thead>
<tr>
<th></th>
<th>Existing Home &amp; Garage</th>
<th>Proposed Addition</th>
<th>Driveway</th>
<th>Deck</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4100</td>
<td>7900</td>
<td>6600</td>
<td>1207</td>
</tr>
<tr>
<td>Total Impervious Coverage</td>
<td>19807</td>
<td>17.09%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max Impervious Coverage</td>
<td>23174</td>
<td>20.00%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sq Feet Left to Cover</td>
<td>3367</td>
<td>2.91%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Lot Coverage does not include sidewalks, patios, decks, swimming pools, open porches, outdoor tennis or basketball courts, or other similar accessory uses.*

### Area of Detached Structures

<table>
<thead>
<tr>
<th></th>
<th>Existing Home &amp; Garage</th>
<th>Proposed Addition</th>
<th>Driveway</th>
<th>Deck</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Total Area of Detached Structures</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Max Area of Detached Structures</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
SPECIAL USE PERMITS (GENERAL AND PLANNED UNIT DEVELOPMENTS)
Section 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a special use (and any amendments thereto).

1. That 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.

The use of a single family dwelling on a lot of this size is consistent with the neighborhood. While the zoning on this property is A-1, nearby properties are a mix of rural/estate residential, which is comparable and consistent. The applicant is proposing to landscape the west and south side of the addition with evergreen trees to buffer the building from the adjacent property.

2. The proposed use at the proposed location will not have an undue or substantial adverse effect, above and beyond that inherently associated with such use, irrespective of the location in the particular zoning district, upon adjacent property, the character of the neighborhood, or other matters affecting the public health, safety and welfare of the community.

While this would be one of the largest homes in the area, the proposed principle structure renovation/addition and other applicable areas that are included in lot coverage do not exceed the lot coverage allowance for A-1, which is twenty (20) percent. Lot coverage for the adjacent lots within R-2 and R-2A are twenty (20) and twenty-five (25) percent, respectively. The applicant is proposing to landscape the west and south side of the addition with evergreen trees to buffer the building from the adjacent property. After much engineering review on this site, this general location has been identified as the most appropriate, due to its location outside of the wetlands, floodplain and related buffers.

3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The applicant is proposing to landscape the west and south side of the addition with evergreen trees to buffer the building from the adjacent property. Staff cannot provide an expert opinion on whether or not this is impair property values.

4. The proposed use at the particular location is desirable to provide a service or facility in the interest of public convenience and the gain to the public and all or a part of the community exceeds the hardship imposed upon the property owner.

As this is a private single family home, it does not provide a public service or facility.

5. The proposed special use is generally suitable for the particular zoning district and will not adversely affect development of adjacent properties in accord with the applicable district regulations.
While the zoning on this property is A-1, nearby properties are a mix of rural/estate residential, which is comparable and consistent. The applicant is proposing to landscape the west and south side of the addition with evergreen trees to buffer the building from the adjacent property. A-1 does allow for the request of a special use permit to allow for a single family dwelling on lot of this size.

6. That 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.

7. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either 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. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

8. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. There are no proposed changes to the ingress or egress of the property.

9. The proposed use has been considered in relation to the location, goals and objectives of the Village’s Comprehensive Plan and is in general accord with the guidelines of the plan.