

Agenda
Village of Homer Glen
PLAN COMMISSION
Thursday, September 15, 2022 – 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. Minutes.
 - a) September 1, 2022
5. Public Comment.
6. New Business and Possible Action or a Recommendation.
 - a) **Case No. HG-2216-V, 16454 S Spaniel Lake Court (Public Hearing):** Consideration of a request for approval of [1] a Variance to reduce the required side yard building setback from twenty (20) feet to eleven (11) feet and [2] a Variance to increase the maximum driveway width from twenty-eight (28) feet to thirty-three (33) feet for certain real property located in the R-2 Single Family Residential District at 16454 S. Spaniel Lake Court, Homer Glen, Illinois. PIN: 16-05-24-408-021-0000.
 - b) **Case No. HG-2206-AV, Crosstown, Map Amendment and Parking Lot (Public Hearing):** Consideration of a request for approval of [1] a Map Amendment from R-2 Single-family Residential to C-1 Neighborhood Commercial; [2] a Site Improvement Plan; [3] a Variance to reduce the required landscape front yard from thirty (30) feet to zero; and [4] a Variance to reduce required parking from forty-two (42) spaces to thirty-five (35) spaces; for property commonly known as 15250 and 15264 W 143rd Street, Homer Glen, Illinois. [Case No. HG-2206-AV] PIN: 1605054060110000 and 1605054060130000.
NOTE: *Staff will request that the Plan Commission continue this zoning case to a future date. There will be no presentation or discussion on this matter at the September 15, 2022 Plan Commission meeting.*
 - c) **Case No. HG-2201-APUD-V, Villas of Country Woods (Public Hearing):** Consideration of a request for approval of [1] a Preliminary Plat of Subdivision, [2] a Map Amendment from A-2 Rural Residential to R-6A Attached Single-Family Residential District, [3] a Special Use for a Planned Unit Development with certain exceptions, and [4] Site Improvement Plans for certain real property commonly known as 12129 W 151st Street, Homer Glen, Illinois. [Case No. HG-2201-APUD] PIN: 1605132000120000.
NOTE: *Staff will request that the Plan Commission continue this zoning case to a future date. There will be no presentation or discussion on this matter at the September 15, 2022 Plan Commission meeting.*

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

- d) **Case No. HG-2214-A, Zoning Code Text Amendments (*Public Hearing*):** Consideration of a request for numerous text amendments to Chapter 220, Zoning and Chapter 138-5, Land Use and Site Development, Article I, Environmental conservation and tree preservation of the Code of the Village of Homer Glen.

NOTE: *Staff will request that the Plan Commission continue this zoning case to a future date. There will be no presentation or discussion on this matter at the September 15, 2022 Plan Commission meeting.*

7. Reports of Plan Commissioners and Staff.
8. Adjourn.



PLAN COMMISSION MEMORANDUM

Agenda Item Number: 6.a.
Plan Commission Meeting Date: September 15, 2022
Subject: Case No. HG-2216-V
Address: 16454 S Spaniel Lake Ct

Item Title: Consider a request for [1] a Variance to reduce the required side yard building setback from twenty (20) feet to eleven (11) feet and [2] a Variance to increase the maximum driveway width from twenty-eight (28) feet to thirty-three (33) feet for certain real property located in the R-2 Single Family Residential District at 16454 S. Spaniel Lake Court, Homer Glen, Illinois. [HG-2216-V]

Staff Contact: Assistant Planner Taylor Udarbe

Property Information

Location: Lot 12 of the Hidden Cove at Spaniel Lake West Subdivision / 16454 S. Spaniel Lake Ct.

PIN: 16-05-24-408-021-0000

Property Size: 42,373 sf

Existing Zoning/Use: R-2 Single Family Residential

Adjacent Zoning:

- N: R-2 Single Family Residential; Deboer Woods Sub
- E: R-2 Single Family Residential; Hidden Cove at Spaniel Lake East Sub
- S: R-2 Single Family Residential
- W: R-2 Single Family Residential

Background Information

The applicant, Joel Andersen, is the project manager for the proposed single-family home at 16454 S Spaniel Lake Ct, or Lot 12 of the Hidden Cove at Spaniel Lake West Subdivision. This is a proposed ranch style home that measures around four thousand two hundred and forty-eight (4,248) square feet. This property is zoned R-2 Single Family Residential, which requires the primary residence to maintain twenty (20) foot building setbacks from side property lines. As seen in *Attachment 1 & 2*, the subject property has an existing hammerhead stub and contains significant conservation easements in the rear yard. The applicant is requesting a variance to reduce the required side yard building setback from twenty (20) feet to eleven (11) feet.

The proposed site plan utilizes the existing hammerhead located on the property for the driveway access which measures thirty-three (33) feet at the property line. The applicant is also requesting a

variance to increase the maximum width of the driveway at the property line from twenty-eight (28) feet to thirty-three (33) feet.

Conformance with Zoning Regulations

Setbacks: As mentioned above, the applicant is proposing to construct a single-family home with around a four thousand two hundred and forty-eight (4,248) square foot footprint, seen in *Attachment 2 – Site Plan*. Below is a breakdown of the setback requirements for a single-family home to be built on a property zoned R-2:

- A front yard setback of thirty (30) feet per plat of subdivision;
- A side yard setback of twenty (20) feet;
- A rear yard setback of forty (40) feet

Easements: The subject contains significant conservation easement. Around 24,740sf of the property is conservation easement, leaving only around seventeen thousand six hundred and thirty (17,630) square feet for the single-family home.

The property also has an ingress, egress & utility easement over the existing hammerhead stub where they are proposing to utilize driveway access.

Bulk Regulations: As seen below, the subject property meets the minimum bulk requirements for the R-2 Single Family Zoning District. The minimum lot size in the R-2 Single Family Residential Zoning District is 43,560sf, or once acre. The subject property is around 42,370sf.

ZONING REVIEW		
R-2	ORD	EXISTING or PROPOSED
LOT SIZE	43,560	42,373
LOT WIDTH	150	191
LOT WIDTH OF CORNER LOT	180	/
LOT FRONTAGE	135	193
LOT DEPTH	140	240
FRONT YARD SETBACK	30 per plat	31
CORNER SIDE YARD SETBACK	/	/
SIDE YARD SETBACK	20	11
REAR YARD SETBACK	40	136

If the subject property were to be measured based on the buildable area, or the area outside of the conservation easement, then lot size and lot depth requirements would not be met. The conservation easement leaves a buildable lot size of only and a lot depth of one hundred and thirteen (113) feet. This limits the space for a single-family home on the subject property.

Similar Variances Granted:

- HG-1815-PSV: Variances including a Variance to increase the maximum permitted gross width of driveways from twenty-eight (28) feet to forty-eight (48) feet at 16545 S Hidden Cove Court
- HG-2207-V: Variance to reduce the required side yard building setback from ten (10) feet to seven (7) feet for certain real property located in the R-4 Single Family Residential District at 12239 W Carroll Drive
- HG-1801-V: 12245 and 12251 Carroll Drive (Lot 8 & 9 in Crystal Creek Estate Subdivision). Approval for a Variance to reduce the required front yard setback for the properties located in the R-4 Single-family Residential District from thirty (30) feet to twenty-five (25) feet [Final Plat for Crystal Creek Estates Subdivision dated December 15, 2003]

- HG-1817-V: 12236 W Carroll Drive (Lot 12 in Crystal Creek Estates Subdivision). Approval for a Variance to reduce the required rear yard setback for the proposed dwelling from thirty (30) feet to twenty (20) feet.

Findings of Fact

Section 220-1207C (1-3) of the Code of the Village of Homer Glen states the required standards for making findings of fact for a Variance. The Code requires that the Plan Commissioners consider these standards in making its finding and determining a recommendation to send to the Village Board. *Staff concurs with the following hardship evidence described by the applicant:*

- The subject property has a large conservation easement, which occupies over half of the subject property.
- The proposed driveway utilizes the existing hammerhead stub and is already thirty-three (33) feet at the property line. This access is important for emergency turnaround, as Spaniel Lake Court terminates here.

Public Comment

The neighbor at 16500 Spaniel Lake Ct came into the Village Hall to see plans for the Variance requests and had concerns that the home would be sited too close to their property line. Staff explained that the variance is for Lot 12 and that there is still a vacant parcel between her and this property. The resident understood and had no further questions or concerns for the requests.

Conformance with other Village Regulations

Exterior Construction Standards (Chapter 75, Article II): The Exterior Construction Standards for brick or stone do apply to the requested Variance as any new residential primary structure must be constructed with exterior finishes consisting of either stone material or brick material covering 100% of the aggregate total area of all first floor or story exterior walls, exclusive of doors, windows, and associated trim.

Lighting (Chapter 75, Article II): The Lighting regulations do not apply to this request as no exterior lighting has been proposed.

Conservation Subdivision (Chapter 107, Article IV): 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 have they proposed the development of a residential subdivision made up of lots less than one and one-half (1.5) acres in size.

Tree Preservation (Chapter 107, Article III): 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.

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 not apply to this request.

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 2005 Comprehensive Plan designates the subject property as Single-Family – Estate. The Comprehensive Plan designation aligns with the proposed single-family home.

Transportation Plan: The Variance requested by the applicant conforms to the regulations and recommendations set forth within the Village of Homer Glen Transportation Plan.

Motion for Consideration

Is there a motion to adopt staff's findings as the findings of the Plan Commission and to recommend _____ (approval / approval with conditions / denial) of **[1]** a Variance to reduce the required side yard building setback from twenty (20) feet to eleven (11) feet and **[2]** a Variance to increase the maximum driveway width from twenty-eight (28) feet to thirty-three (33) feet for certain real property located in the R-2 Single Family Residential District at 16454 S. Spaniel Lake Court, Homer Glen, Illinois [HG-2216-V]?

Attachments

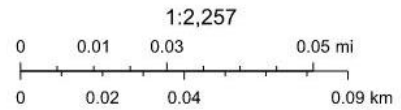
1. Aerial
2. Site Plan
3. Staff-Suggested Findings of Fact

Attachment 1 – Aerial



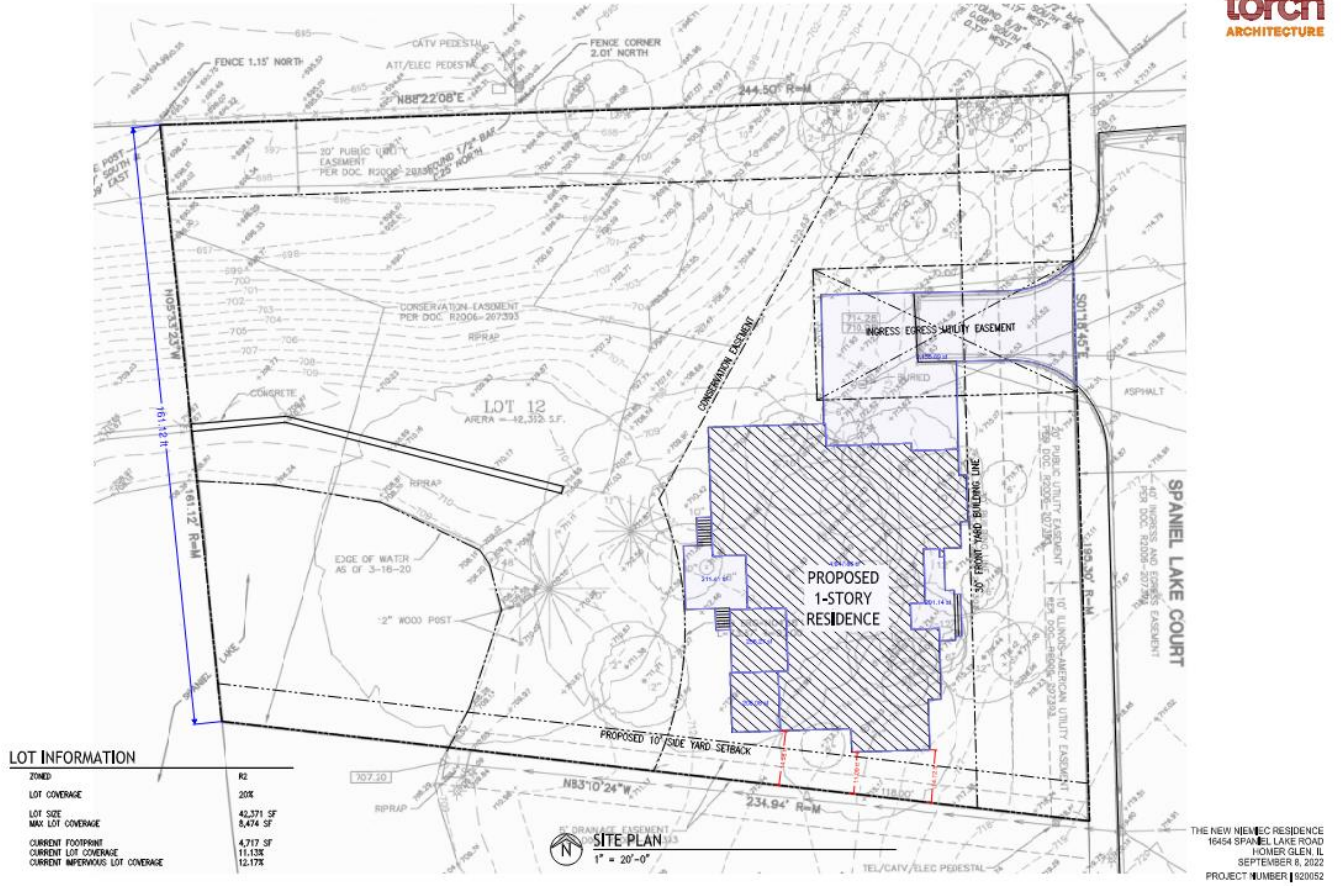
9/8/2022, 4:13:39 PM

-  Homer Glen Boundary
-  Addresses
-  Street Centerlines
-  Parcels - Will County Parcels



County of Will, Maxar, Microsoft

Attachment 2 – Site Plan



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 cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the R-2 Single-Family Residential Zoning District. The presence of the conservation easement and existing hammerhead make it difficult to site a home on the property.
 - (b) That the plight of the owner is due to unique circumstances.

The plight of the owner is due to unique circumstances. The subject property has a small buildable lot area due to significant conservation easement in the rear yard of the property. This lot also has an ingress, egress, and public utility easement over the existing hammerhead turn around.
 - (c) That the variance, if granted, will not alter the essential character of the locality.

The Variance, if granted, will not alter the essential character of the locality. In aerial photos, it appears that a different property on Spaniel Lake court also has a primary residence that does not meet the required twenty (20) foot setback from side property lines. The property on Hidden Cove Court in the same subdivision was also granted variances for maximum driveway width (HG-1815-PSV).
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 presence of the conservation easement creates particular hardship by leaving a very small buildable lot area for a primary structure. The location of the existing hammerhead on the ingress, egress, and utility easement also creates hardship.
 - (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.

It is unlikely that these conditions present on this property could be generally applicable in the R-2 Zoning District due to the unique conservation easement and hammerhead turn around.

- (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; but for reasonable use of the land.

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

The hardships presented were not created by the current property owner. The subdivision was platted in 2005.

- (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.

Village staff does not foresee the approval of this variance having a detrimental impact on the public welfare or being unduly injurious to other property or improvements in the Hidden Cove at Spaniel Lake subdivisions.

- (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 Variance request. The proposed home must conform to the Village's exterior materials ordinance where primary structures must be constructed with exterior finishes consisting of either stone material or brick material covering 100% of the aggregate total area of all first floor or story exterior walls, exclusive of doors, windows, and associated trim

- (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. Staff does not foresee the location of the proposed single-family home as a public safety issue and the structure is still required to meet all of the required building codes. Staff does not have a professional opinion on property values.