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## City Council Agenda Memo

Crest Hill, IL

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<b>Meeting Date:</b>	March 25, 2024
<b>Submitter:</b>	Maura Rigoni, AICP, Interim Planner
<b>Department:</b>	Community & Economic Development
<b>Agenda Item:</b>	Noonan Variance

### Summary:

Dainius Kasperavicius, the owner of 2001 Noonan, applied for a variance to permit a shed on the residential property. The property owner placed the shed on the property, without a permit. The shed currently encroaches both the side and rear yard setbacks and is also located in public utility drainage easements.

The application appeared before the Plan Commission at the February and March meetings. At this meeting, the Plan Commission forwarded at 6-1 vote in favor of the three variations conditioned upon the following:

- The applicant acknowledges this accessory structure is located in a stormwater and public utility easement and that the installation of the accessory structure at this location is at their own risk.
- If the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the area, it is understood the accessory structure may be impacted. The restoration is the responsibility of the property owner, not the city or the utility company.

**Recommended Council Action:** If the Mayor and City Council are amenable to the proposed variations, I would ask that you authorize the City Attorney and Staff to prepare the necessary Ordinance and supporting documents to approve the request subject to the Findings of Fact and the conditions as outlined in the PC recommendation.

**Funding Source:** N/A

**Budgeted Amount:** N/A

### Attachments:

- Plan Commission Report (and minutes) associated plans and documents



**To:** City of Crest Hill Plan Commission  
**From:** Maura A Rigoni, AICP, Interim Planner  
**Date:** March 14, 2024  
**Re:** Noonan Variance Request

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At the February 8, 2024, meeting Dainius Kasperavicius, the owner of 2001 Noonan, appeared before the Plan Commission requesting variances to permit an accessory structure within the required side yard, rear yard, and within an easement. This item was tabled to the March 14, 2024 meeting as proper notification was not given to property owners within 300 feet of the subject parcel.

The City has received confirmation that proper notification has been given to all required property owners.

Per the Plan Commission's request, internal discussions with building, engineering, and planning regarding the placement of the shed within the easement and building code was conducted.

Attached is an email outlining (excerpt below) the engineer's position on the encroachment of the shed within the easement. Per the City engineer:

"The location of the existing shed currently is not impeding existing drainage. Stormwater is still getting to the property to the south by flowing around or underneath the shed/garage. If in the future, drainage was needed to be installed to correct a drainage issue at the south end of this subdivision then connecting to the existing storm sewer located in the right of way of Gaylord will require the removal of the existing shed at that time. Currently the City is not aware of any issues with drainage in this area which would require any future drainage installation."

If the Plan Commission should consider permitting the shed to encroach the easements, the following conditions should be considered:

- The applicant acknowledges this accessory structure is located in a stormwater and public utility easement and that the installation of the accessory structure at this location is at their own risk.
- If the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the area, it is understood the accessory structure may be impacted. The restoration is the responsibility of the property owner, not the City or the utility company.

As discussed at the February meeting, the shed violates building codes. Regardless if the Plan Commission considers the variance requests, the property owner must comply with all building codes.

There are no changes presented by the applicant to the requests that were heard and discussed at the February meeting.

The Commission is encouraged to discuss the following:

- Side yard and rear yard setback
- Encroachment in the easements

As previously stated, there are no changes to the plans presented at the February meeting. Therefore, please refer to the information provided in the February packet. If you need a packet, please reach out, and one will be provided.

As always, please feel free to contact me at 815-412-2721 or [mrigoni@reltd.com](mailto:mrigoni@reltd.com) with any questions or concerns so that, if need be, issues may be resolved expeditiously before they are addressed at council meetings.

## Maura Rigoni

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**From:** Ron Wiedeman <rwiedeman@cityofcresthill.com>  
**Sent:** Monday, March 4, 2024 11:27 AM  
**To:** Maura Rigoni  
**Cc:** Ron Mentzer; Zoe Gates  
**Subject:** RE: Noonan Variance

**\*\*\*\* THIS EMAIL IS FROM AN EXTERNAL SOURCE \*\*\*\***

Please use caution when clicking on links or opening attachments, especially from unknown senders. For further information on how to spot phishing emails, please refer to [this infographic](#). When in doubt, contact [relit@reltd.com](mailto:relit@reltd.com).

Maura,

Per our conversation

"The location of the existing shed currently is not impeding existing drainage. Stormwater is still getting to the property to the south by flowing around or underneath the shed/garage. If in the future, drainage was needed to be installed to correct a drainage issue at the south end of this subdivision then connecting to the existing storm sewer located in the right of way of Gaylord will require the removal of the existing shed at that time. Currently the city is not aware of any issues with drainage in this area which would require any future drainage installation."

**Ronald J Wiedeman, P.E.**

City Engineer  
City of Crest Hill  
20600 City Center Blvd  
Crest Hill, Illinois, 60403  
Office: 815-741-5122  
Cell: 815-656-0086



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**From:** Maura Rigoni <MRigoni@reltd.com>  
**Sent:** Thursday, February 29, 2024 2:08 PM  
**To:** Ron Wiedeman <rwiedeman@cityofcresthill.com>  
**Cc:** Ron Mentzer <rmentzer@cityofcresthill.com>; Zoe Gates <zgates@cityofcresthill.com>  
**Subject:** RE: Noonan Variance

**External Sender:** Use caution with links and attachments. Use caution when replying. If you are unsure please contact IT.

**This message was sent from outside the company by someone with a display name matching a user in your organization. Please do not click links or open**



# PLAT OF SURVEY

P.I.N. 04-31-124-005  
2001 NOONAN STREET  
CREST HILL, IL

LOT 1 IN CREST ACRES UNIT THREE, A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 28, 1988 AS DOCUMENT R88-051849, IN WILL COUNTY, ILLINOIS.

COLL

SCALE 1" = 20'

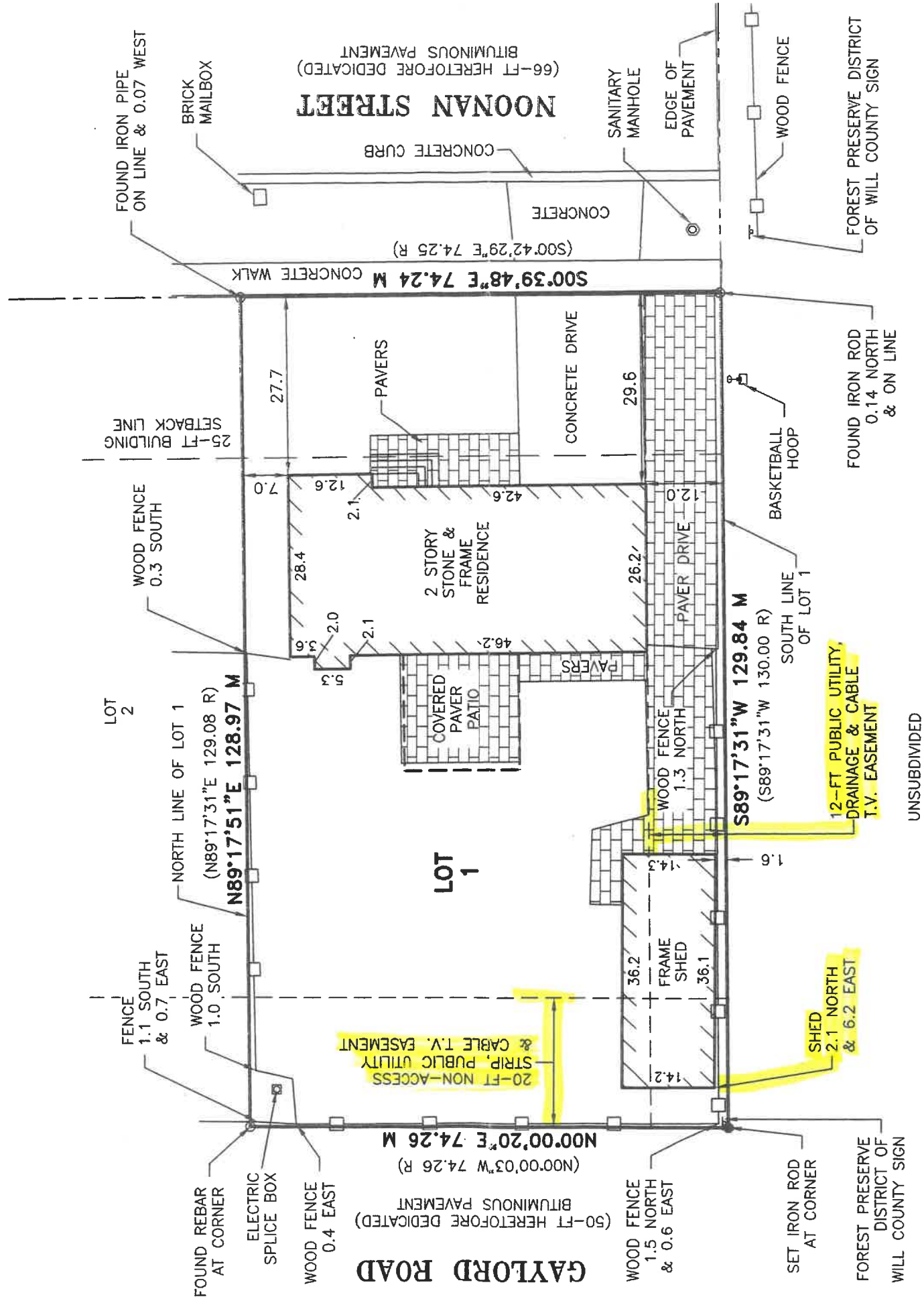
"O" INDICATES SURVEY MONUMENT FOUND  
"●" INDICATES 9/16" X 30" IRON ROD SET

C OR CALC = CALCULATED  
D = DEED  
M OR MEAS = MEASURED  
R OR REC = RECORD

RECEIVED

SEP 14 2023

BUILDING DEPT



## NOTES:

1. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
2. GEOTECH INCORPORATED IS PROFESSIONAL DESIGN FIRM NUMBER 184-000165.
3. FOR A SURVEY TO BE CONSIDERED TO BE AN ORIGINAL IT MUST BE SIGNED AND HAVE EITHER AN EMBOSSED SEAL OR A RUBBER STAMP SEAL IN THE COLOR RED OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR.
4. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.
5. UNLESS OTHERWISE NOTED ON THE DRAWING, ALL PROPERTY CORNERS SET ARE 9/16-IN X 30-IN GALVANIZED IRON STEEL RODS.
6. THIS PLAT AND SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE LEGAL DESCRIPTION OF THE SURVEYED PROPERTY IS BASED ON THE SPECIAL WARRANTY DEED RECORDED AS DOCUMENT NUMBER R2019005610.
7. THE BASIS OF BEARING FOR THE PLAT AND SURVEY, SHOWN HEREON, IS THE SOUTH LINE OF LOT 1 IN CREST ACRES UNIT THREE, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 28, 1988, AS DOCUMENT NUMBER R88-051849.
8. THE AREA OF THE SURVEYED PARCEL IS 0.221 ACRE.
9. FIELD WORK COMPLETED ON SEPTEMBER 7, 2023.

STATE OF ILLINOIS)

COUNTY OF WILL ) SS

I, CHRISTOPHER M. PAPESH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE SURVEYED, STAKED, AND LOCATED THE IMPROVEMENTS ON, AND PLATTED THE LAND DESCRIBED IN THE FOREGOING CAPTION AND SHOWN ON THIS PLAT, AND THAT THIS PLAT IS A CORRECT REPRESENTATION THEREOF, DATED AT CREST HILL, ILLINOIS THIS

11th DAY OF September 2023, A.D.

*Christopher M. Papesh*  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3369  
LICENSE EXPIRATION DATE: 11/30/2024  
cpapesh@geotechincorp.com

**GEOTECH INC.**

CONSULTING ENGINEERS - LAND SURVEYORS

1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730-1010

PROJECT: DANIUS KASAPERAVICIUS FIELD BOOK #: W 36-10 PG 34  
DRAWN BY: MC DATE: 9/11/23 SCALE: 1"=20' JOB NO. 21556

COMPARE THIS PLAT WITH YOUR RECORDS AND IMMEDIATELY REPORT ANY DISCREPANCIES



**To:** Plan Commission  
**From:** Zoe Gates, Administrative Clerk  
**Date:** February 8, 2024  
**Re:** Kasperavicius Shed Variances

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***Project Details***

Project	Kasperavicius Shed Variances
Request	Variances
Location	2001 Noonan Street

***Site Details***

Lot Size:	.22 acres
Existing Zoning	R-1

***Land Use Summary***

	Land Use	Comp Plan	Zoning
Subject Parcel	Residential	Residential	R1
North	Residential	Residential	R1
South	Forest Preserve	Forest Preserve	none
East	Residential	Residential	R1
West	Utility	Utilities	R3

***Attachments***

Aerials, Supporting Documents prepared by Applicant.

***Project Summary***

The owner of 2001 Noonan St. has applied for variances to allow the 12' x 32' (384 square foot) shed he placed without a permit to remain within two easements and closer to two property lines than ordinance allows. The Zoning Ordinance requires that a detached accessory building be 4' from the side lot line and 30' from the rear lot line when on a through lot. It also requires that no part of an accessory structure or building shall be located within a public utility easement and/or drainage easement that would conflict with the intended use/function or provisions of the easement.

***Analysis***

In consideration of the request, the points of discussion and details are as follows:

- The property is currently zoned R-1 and subject to accessory structure regulations.
- Section 8.3-6 Accessory Buildings/Structures of The Zoning Ordinance outlines specific regulations for the setbacks for detached accessory buildings (see following table) and location of accessory structures or buildings in relation to public utility and/or drainage easements.

Required Lot Line Setback	Existing Lot Line Setback
Side 4'	Side 1.6' at one shed corner, 2.1' at other
Rear 30' (Through Lot)	Rear 6.2'

- 
- The lot is considered a through lot, meaning bounded by public right of way on two sides (not a corner lot), therefore structures are subject to the regulations established for front yards. Therefore, the required setback is 30'.
- There is a 20' Non-Access Strip, Public Utility & Cable T.V. Easement along the rear property line. The 12' x 32' shed is placed 13.8' inside of the easement.
- There is a 12' Public Utility, Drainage & Cable T.V. Easement along the side property line. The 12' x 32' shed is placed 10.4' at one end and 9.9' at the other end inside of the easement.
- City Public Works has cleared the easements for water and sewer, it is unknown what other utilities found.
- The City Engineer inspected existing drainage patterns and notes if a drainage issue develops in the future the city would not be able to grade a ditch or install a stormwater pipe in the 12' easement. This could adversely affect the Forest Preserve land to the south which includes a park open to the public. This could also adversely affect Gaylord Rd. which runs behind the property.
- Building permit applied for 08/16/23 was denied 09/18/23 due in part to not being anchored to an adequate base structure. Applicant states 12' x 32' shed is placed on paver bricks. The permit application material list attached lists "Gravel for skid base per owner" under foundation materials. Paver bricks were placed without a building permit as well. Based on the photographs provided by the applicant the shed appears to be partially on paver bricks and partially on gravel.
- In its current state the 12' x 32' shed does not meet current building code for footing/foundation of this size structure. The shed will have to be moved for building code compliance regardless of the outcome of the variances requested.
- City staff has met with the applicant multiple times explaining the codes and process for construction.

Section 12.6-2 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

- 1. 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;*
- 2. That the plight of the owner is due to unique circumstances; and*
- 3. That the variation, if granted, will not alter the essential character of the locality.*

Additional supplemental standards (Exhibit A) are attached for your consideration.

Items for discussion are as follows:

- Based on multiple meetings with the applicant and the materials provided by them the 12' x 32' shed does not meet the standards for the requested variances.
- The blockage of the Public Utility, Drainage & Cable T.V. Easement along the south side property line would conflict with the intended function of the drainage.

- The 12' x 32' shed will have to be moved to provide a proper base even if the variances are granted.

Please contact Maura Rigoni at 815-412-2721 or [mrigoni@reltd.com](mailto:mrigoni@reltd.com) with any questions or concerns.

**Exhibit A**

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

1. *That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
2. *The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.*
3. *That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*
4. *That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*
5. *That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as "similar and compatible uses."*
6. *That the variation granted is the minimum adjustment necessary for the reasonable use of the land.*
7. *That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City Administration and Enforcement City of Crest Hill.*
8. *That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not.*

**RECEIVED**  
JAN 18 2024  
CLERK'S OFFICE

**Application for Development**

For Office Use Only: Case Number:

RECEIVED  
JAN 20 2024  
BUILDING DEPARTMENT

**Project Name:** SHED  
**Owner:** DANIUS KASPERAVICIUS **Correspondence To:**  
**Street No:** 2001 NOONAN ST **Street No.:**  
**City, State, Zip:** CREST HILL IL 60403 **City, State, Zip:**  
**Phone:** 815-630-0084 **Phone:** \_\_\_\_\_  
**Email or fax:** KASPERAVICIUS@gmail.com **Email or fax:** \_\_\_\_\_

**Property Address:****Property Information:**

**Street No:** 2001 NOONAN ST **Lot Width:** 74.24 M  
**City, State, ZIP:** CREST HILL IL 60403 **Lot Depth:** 128.97 M.  
**PIN:** 11-64-03-124-005-0000 **Total Area:** 9750 Sq ft

\* Attach a copy of the legal description of the Property and applicable fees.

• Submit electronic version of the legal description to:

stilley@cityofcresthill.com or kkozerka@cityofcresthill.com

**Existing Zoning:** D **Existing Land Use:** R-1 for living  
**Requested Zoning:** 0 **Proposed Land Use:** R-1

**Adjoining Properties Zoning and Uses:**

**North of Property:** LOT 2 / R-1 / RESIDENTIAL SINGLE FAMILY  
**South of Property:** UNSUBDIVIDED - FOREST PRESERVE DISTRICT / U-1  
**East of Property:** NOONAN STREET / R-1  
**West of Property:** GAYLORD ROAD / R-1  
**Purpose Statement (intended use and approval sought):** \_\_\_\_\_



**Development Request:** Please check all that apply and describe:

☐ Rezoning: \_\_\_\_\_

☐ Special Use: \_\_\_\_\_

☒ Variance: TO KEEP THE SHED IN EXISTING SPACE, WHICH IS PLACED IN THAT SPOT FOR ALMOST TWO YEARS. SEE ATT IN BACK

☐ Planned Unit Development: \_\_\_\_\_

☐ Annexation: \_\_\_\_\_

☐ Plat: \_\_\_\_\_

☐ Other: \_\_\_\_\_

**Contact Information** - if not yet known, please indicate as TBD. Check those parties in which copies of all correspondences should be forwarded.

☐ Civil Engineer

Company \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

☐ Contractor

Company \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

☐ Architect

Company \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

☐ Builder

Company \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address \_\_\_\_\_

SHED WAS  
PRE-BUILT AND  
DELIVERED  
815-630-0084

I agree to be present (in person or by counsel) when the Plan Commission and City Council hear this development request

Signature of the Applicant

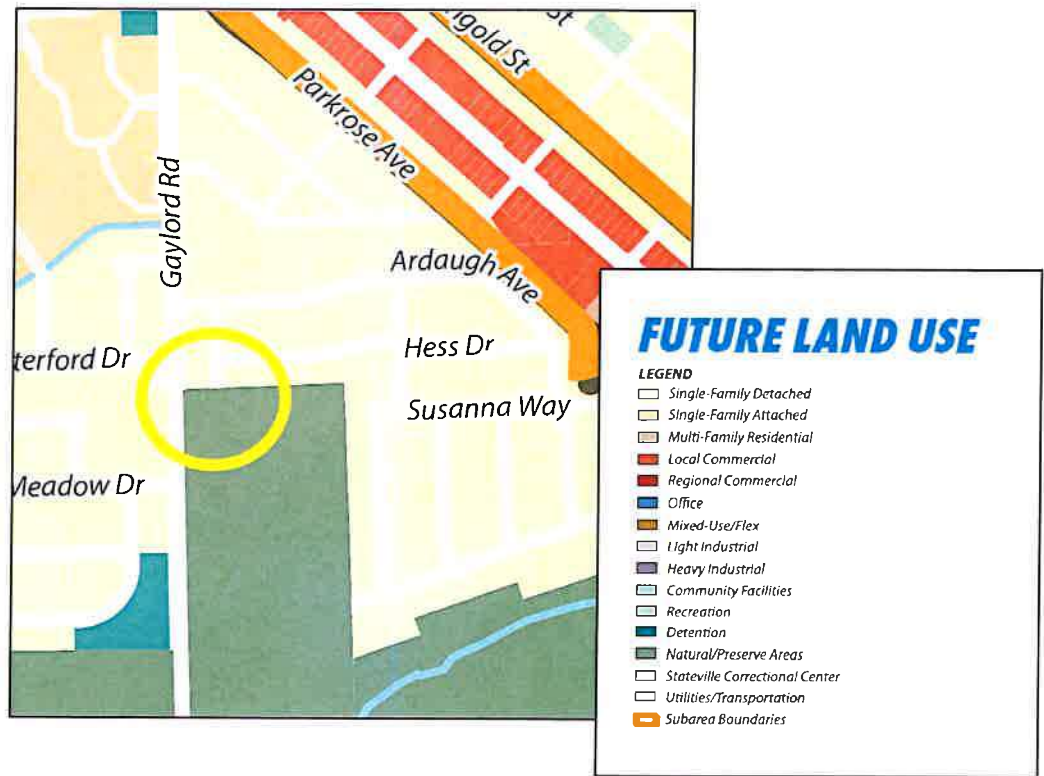
Date

If you (the applicant) are not the owner of record, please provide the owner's signature.

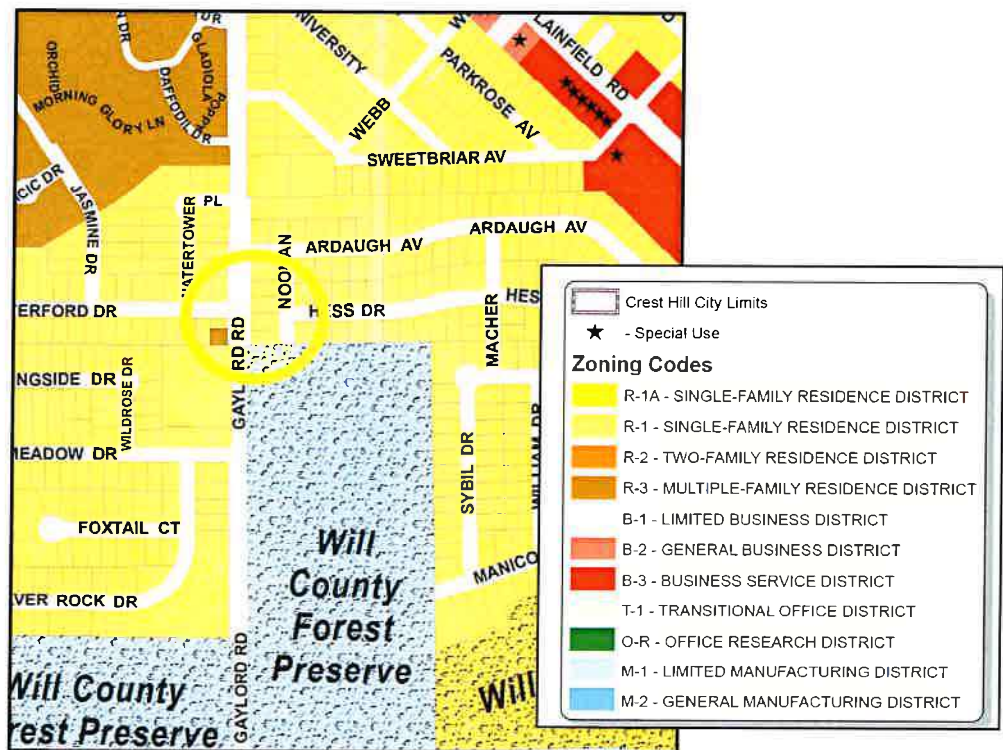
Signature of the Owner

Date

## FUTURE LAND USE MAP-COMP PLAN 2014



## ZONING MAP





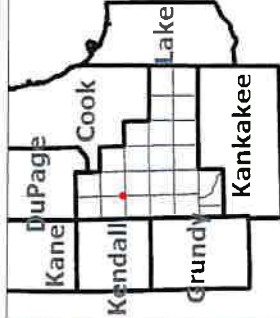


## 2001 Noonan Variance



### Legend

- Address Points
- Roadways
  - Federal
  - State
  - County
  - Local and Private
- Parcels
- Townships



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

0 0.02 0.0Miles

1 : 1,128



### Notes

Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to [gis@willcountyilinois.com](mailto:gis@willcountyilinois.com).



20600 City Center Blvd.  
Crest Hill, IL 60403

CITY OF NEIGHBORS  
PLAN REVIEW

www.cityofcresthill.com

Location: 2001 NOONAN

Date: 2/2/24

\* Shed is missing Hurricane Ties on TRUSSES.

\* Shed Structure is not Attached to Earth.

\* Shed is not Supported on a hard Surface  
per Ordinance

\* Shed is too Close to rear and Side Property lines.

\* Shed Entrance has pavers INSTALLED without Permit.

Reviewer: Don See

A \$100.00 re-inspection fee is required if the inspection failed. No further inspections will be made until the fee is paid.

White - Office

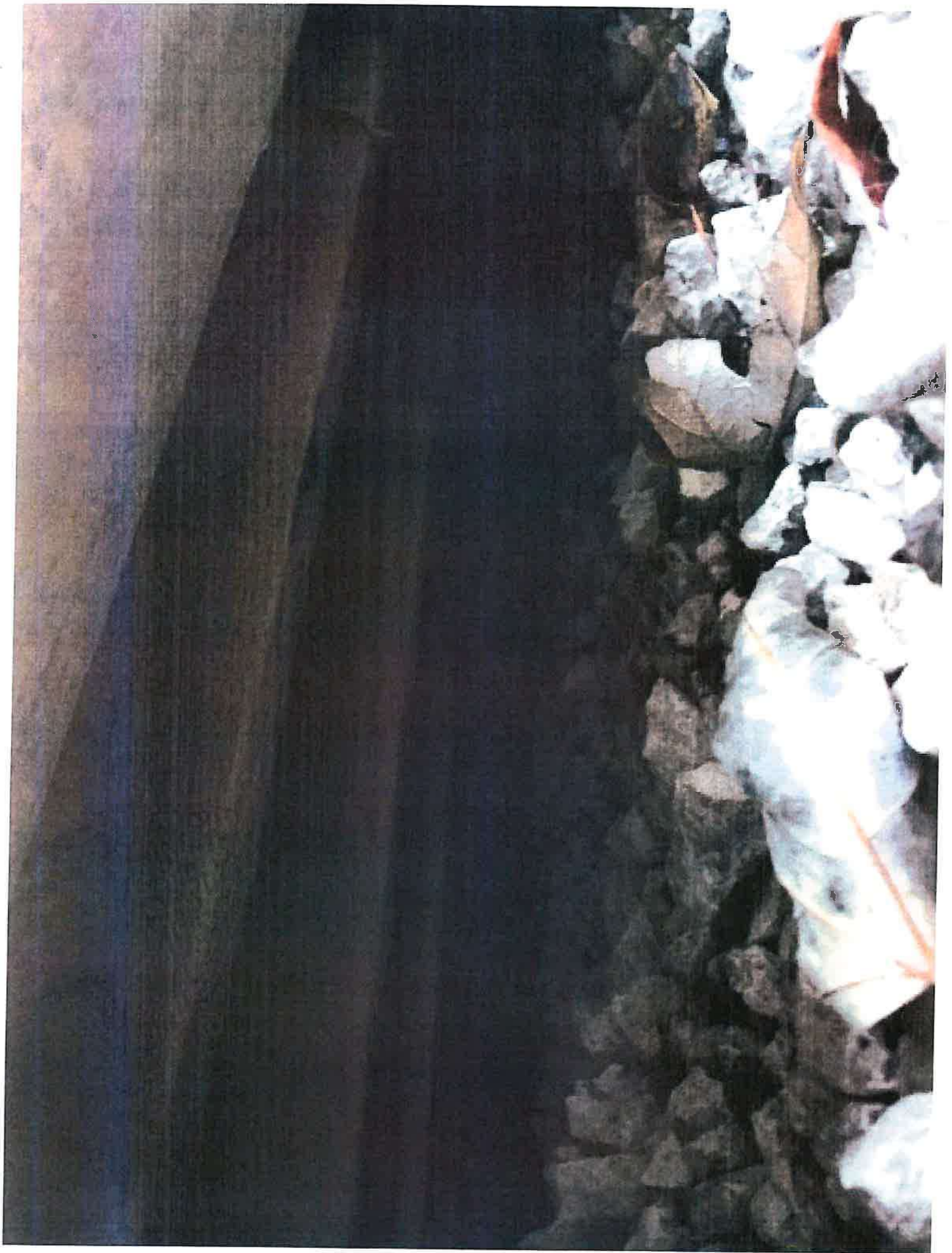
Yellow - Owner/Builder











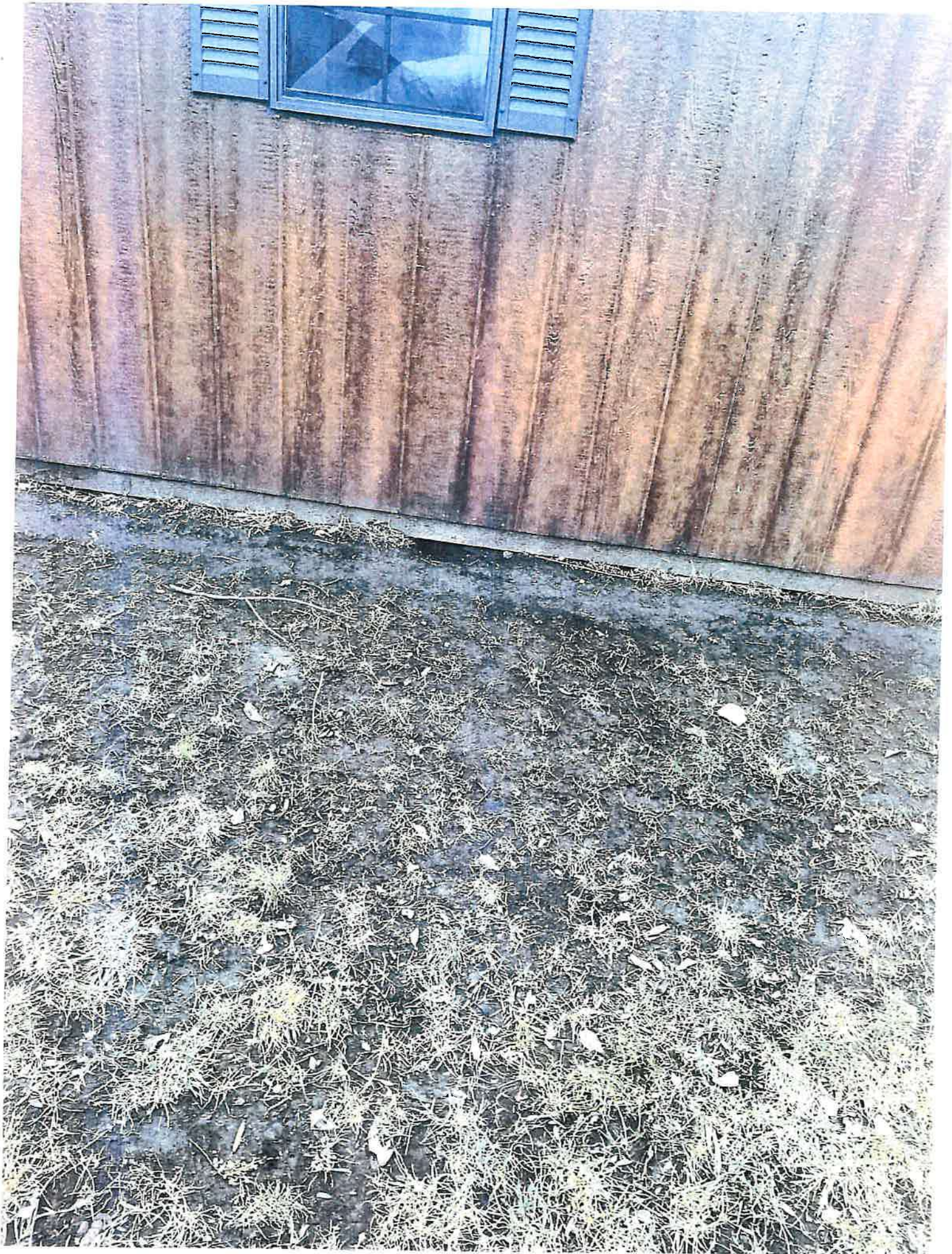


















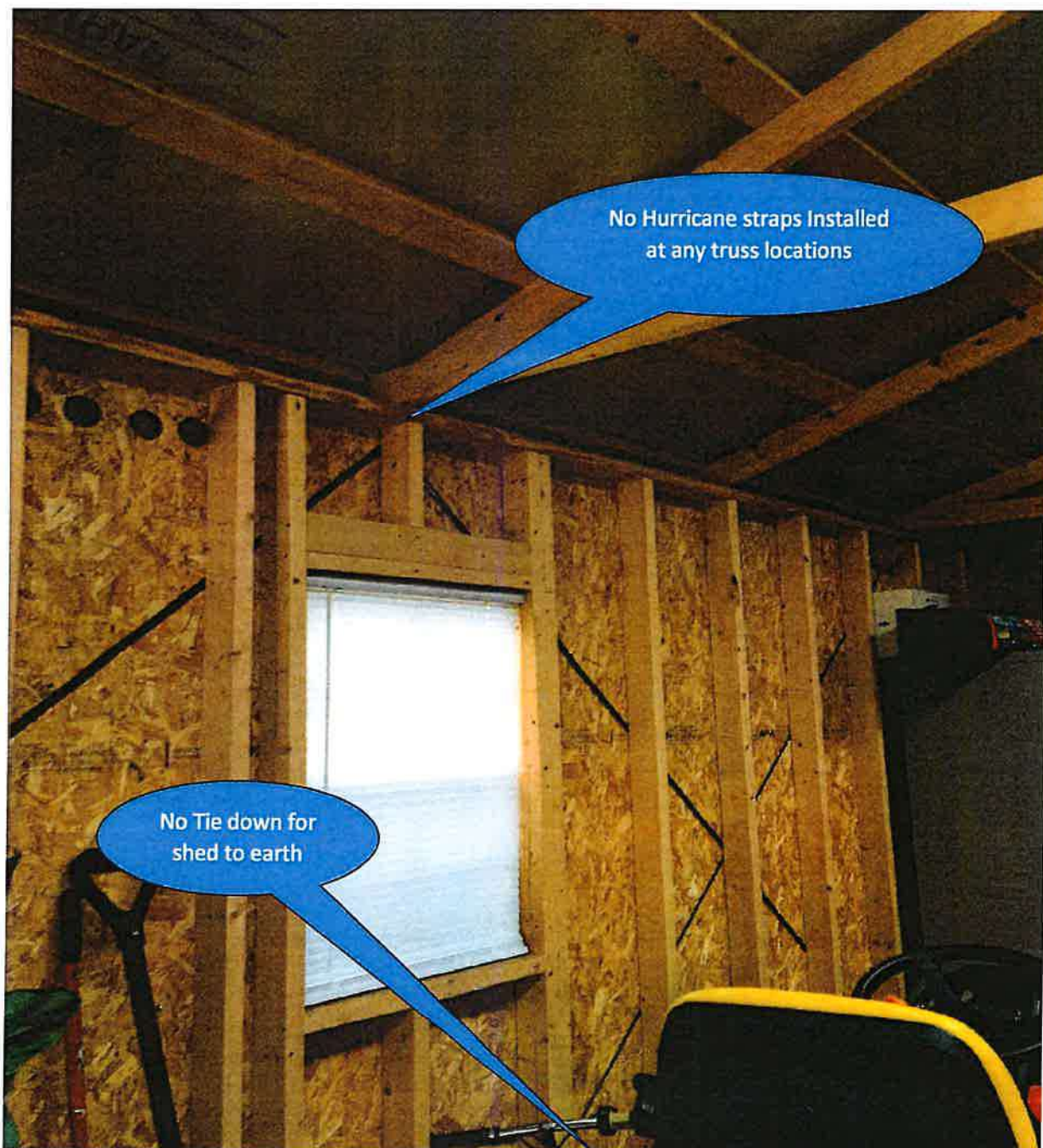




Shaded area below shows supporting structure should be resting on hard surface per ordinance.. There is a void between structure and earth.





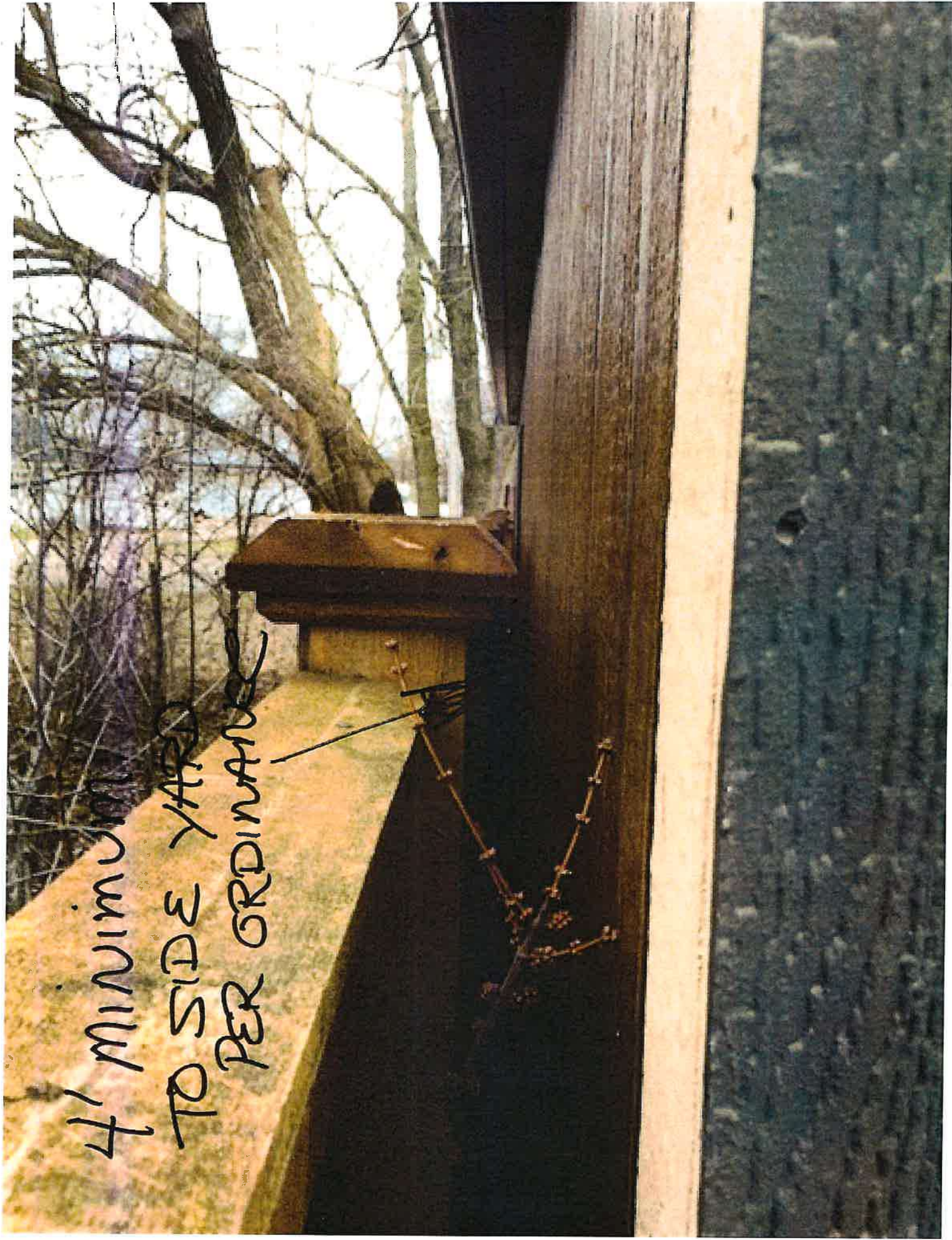


No Hurricane straps Installed  
at any truss locations

No Tie down for  
shed to earth



4' minimum  
TO SIDE YARD  
PER ORDINANCE





2001 NOONAN



NO HARD  
SURFACE  
UNDER  
SUPPORT  
STRUCTURE



NO PAVERS

OR HARD SURFACE

UNDER SUPPORT STRUCTURE  
PER ORDINANCE



MINUTES OF THE  
CREST HILL PLAN COMMISSION

The February 8, 2024 Plan Commission meeting was called to order by Chairman Bill Thomas, at 7:00 p.m. in the Council Chambers of the City Center, 20600 City Center Boulevard, Crest Hill, Will County, Illinois.

The Pledge of Allegiance was recited in unison.

Roll call indicated the following present: Chairman Bill Thomas, Commissioner Ken Carroll, Commissioner Angelo Deserio, Commissioner Jeff Peterson, Commissioner Cheryl Slabozeski.

Also present were: Interim Planner Maura Rigoni, City Attorney Mike Stiff, Administration Clerk Samantha Tilley.

Absent were: Commissioner John Stanton, Commissioner Jan Plettau.

APPROVAL OF MINUTES: Chairman Bill Thomas presented the minutes from the regular meeting held on November 9, 2023 for Commission approval.

(#1) Motion by Commissioner Peterson seconded by Commissioner Carroll, to approve the minutes from the regular meeting held on November 9, 2023, as presented.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Carroll.

ABSENT: Commissioner Plettau, Stanton.

There being four (4) affirmative votes, the MOTION CARRIED.

PUBLIC HEARING: Chairman Bill Thomas presented case number SU-24-1-2-1, a request from Lisa Holland, owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois. The necessary paperwork was in order.

Chairman Thomas asked for a motion to open the public hearing on case number SU-24-1-2-1.

(#2) Motion by Commissioner Deserio seconded by Commissioner Peterson, to open a public hearing on case number SU-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Deserio, Peterson, Carroll, Slabozeski, Chairman Thomas.

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

There being five (5) affirmative votes, the MOTION CARRIED.



The public hearing was opened at 7:02 p.m.

Chairman Thomas asked our Interim Planner Maura Rigoni to present the specifics of the case. Interim Planner Maura Rigoni commented that this is a Special Use request and a parking variance request for the property at 2551 Theodore Street. The applicant is Lisa Holland from Cozy-Pawz Accommodations, LLC is requesting special use for a daycare and boarding business for dogs at this location which is in the B3 zoning district. This is a more industrial type building on the east side of Thomas Court at Theodore Street, and there are four units in this building. This would be the northernmost unit, which is unit A.

Interim Planner Rigoni commented that in the packet is the business operations information outlining the hours of operation and how they intend to operate internally. They are proposing to enclose an area for the dogs on property extending from the rear to the north of the building. They are proposing a six-foot wood shadow box fence. The zoning ordinance does have specific regulations for animals, animal clinics, shelters, etc. One regulation is being a fence of adequate screening in which they are proposing and then there is a regulation that no dogs may be kept outdoors overnight or during non-business hours.

There are parking requirements for this type of use and because of the nature of the site and building, it would require between 40 and 50 parking spaces with strict interpretation of the zoning code. There are twenty marked parking spaces on site. There was conversation with the owner of the building, and it was stated that unit B and C are used by an HVAC company who has limited need for vehicle parking and unit D is vacant. As part of this application, it is not only the special use request for the dog daycare but also the variance request for parking for this unit itself.

Interim Planner Rigoni commented that the requirement is that you notify all property owners within three hundred feet of the property and after speaking to the applicant the notification was done from the unit and not the entire property. Interim Planner Rigoni also commented that to make sure we are holding a proper public hearing, to ensure we have proper publication notice and was in the newspaper and posted signs, we recommend that we don't close the public hearing, but we take testimony and keep the hearing open and conclude on the March 14, 2024 meeting.

Chairman Thomas asked for the applicant, Lisa Holland, to approach the podium and be sworn in. The applicant was sworn in.

Lisa Holland introduced herself and explained she would like to open a doggy daycare and boarding facility on Theodore. She is currently doing this from the inside of her home and has been doing this for five years. She recently was approached by code enforcement where she lives and was told where she lives is not a zoned area for that type of business. She commented that it has been difficult to find a brick and mortar building with grass around it since everything now has asphalt and concrete.

Lisa commented that the revenue has grown year after year, mostly because the dogs are not kenneled in metal cages all the time and are free to walk around, do their thing and play. With this location, she is hoping to add some agility to keep them busy. She loves the dogs like her own and would be honored to have her business in the City of Crest Hill. She commented that she has been doing this in 2018 and has 250 loyal clients.

She stated that she lives in unincorporated Romeoville and thought it would be more okay in unincorporated area and before she made her second mortgage payment code enforcement came to inform her that was not allowed in that zoning which is why she was looking.

Chairman Thomas asked the commissioners if they had any questions.

Commissioner Peterson asked if there are only two employees. Lisa replied stating that right now there are only two employees. Commissioner Peterson commented that people should be just coming to drop off their dogs and not hanging around. Lisa commented that there would be an actual office area to intercept the dog and the clients would only be there a couple of minutes. There are specified drop off and pick up times and it is not an all-day affair. She also commented that there are drop off and pick up times from 6:30 a.m. to 9:00 a.m., then at noon time, and then from 4:00 p.m. to 7:00 p.m. Commissioner Peterson asked how many dogs you would have at one time. Lisa commented that she would like to increase her daycare to twenty dogs but right now she has ten dogs, and she would like to do about eight dogs for boarding.

Lisa commented that she would only need two parking spaces currently, but she would like to hire one or two part-time people, for a total of four parking spaces; one or two spots for drop off and two for employees to park.

Commissioner Carroll asked if you are boarding who would be watching over the dogs during non-business hours and how will they be supervised. Lisa commented that an employee or herself would be staying on premises and there is an upstairs level where the boarding would be.

Commissioner Slabozeski asked if there will be a security system on the property. Lisa commented that there is security currently and she would have security in the new location.

Commissioner Deserio asked if there will be designated walking times and areas for relief. Lisa commented that they are allowed to go out as they please but can specify more of a morning time and noon time and afternoon time if that is required. She further explained that walking times are more for when they go and walk dogs at other people's homes, but she is trying to get away from that.

Chairman Thomas asked if the owner of the building has no problems with having dogs there. Lisa commented that the owner is excited about it and seems to be onboard. Chairman Thomas asked if there are any plans to ever open that huge garage door. Lisa commented that she would have to investigate this since she has never had such a large

garage door like that before and she does know there are ways to ventilate. Chairman Thomas commented that they would prefer if it were not opened. Lisa commented that if that were the case then they would not open it.

Chairman Thomas commented that a big concern would be the noise. Lisa commented that there are a few talkative dogs, but they have humane ways to keep them quieter such as cans of air, water bottles and vibration collars with no shock, just vibrations. She also commented that she has been investigating acoustic panels or hanging baffles that are supposed to quiet the noise in industrial type areas.

Commissioner Carroll commented that he is more concerned with ventilation, because if there was not good ventilation it would smell like a barn. Lisa commented that she would have air purifiers and things to get the air moving around if there are ventilation issues.

Chairman Thomas mentioned that we received two emails from clients of Cozy-Pawz who could not say enough good things regarding Cozy-Pawz and Lisa. He also stated one of the emails came from Alex Smith and the other email came from Jenny Manashirov that were very impressive.

Chairman Thomas asked if anyone would like to approach the podium and make a comment regarding Cozy-Pawz Accommodations.

Sue Vorderer, a client of Cozy Pawz Accommodations, approached the podium and was sworn in. She commented that she has been going to Lisa for a couple of years and she knows she can speak on everyone's behalf that Lisa and her crew do an amazing job. She stated that Lisa treats everyone's dogs as if they were her very own and treats them in such a loving, caring, and wonderful environment. She also commented that her dog, Bailey, is a rescue who was abused and is hesitant to others but not Lisa. Sue commented that she did not want to leave without stating how appreciative we are, and Lisa is a true gem.

Dave Lehr, a resident who lives in Reflection Heights Homeowners, which is the property against this industrial building approached the podium to voice his concerns. Chairman Thomas asked Dave to raise his right hand to be sworn in. Dave was sworn in. Dave commented that he has a concern with the noise and is afraid the dogs will be barking all night on the other side. He commented that he is a dog lover but does not want his dog to talk all night with their dogs. He also commented that fixing it up and fencing it is great, but you cannot guarantee a dog not to bark and that is a concern with others in that area. He also stated that he has no problem with the idea but is just concerned about the noise. Lisa commented that she would try and make it as quiet as possible and welcomed his dog to come.

Commissioner Peterson asked if any neighbors now complain about barking dogs. Lisa commented that the woman across the street from her is the person who called code enforcement on her. She commented that this neighbor has called code enforcement on the previous homeowner several times. Lisa also commented that she does not have any complaints about noise, and she had talked to all her neighbors, and none had an issue.

Debra Brisolara, a client of Cozy-Pawz Accommodations, approached the podium and was sworn in. Debra commented that she is Lisa's realtor and wanted to attest that Lisa is a good person and is great with dogs. She also commented that they were on the phone for twenty-five minutes the other day and she did not hear a single noise from the dogs while they were on the phone.

Sue Stulis, a client of Cozy-Pawz Accommodations, approached the podium and was sworn in. She commented that they have a rescue who is afraid of everybody and everything. She also commented that when the dog sees Lisa or if we say we are going to Cozy-Pawz, the dog gets so excited. Sue stated that Lisa does a great job with the dogs.

Lisa commented that when dogs get together it is like a party, and they introduce each other and get excited and bark but once they get through that they calm down and play. She felt she just wanted to mention that because it will not be all the time and if it was, they do not want that either.

Chairman Thomas asked for a motion to recess the public hearing to March 14, 2024 at 7:00 p.m. in the Council Chambers located at 20600 City Center Boulevard.

(#3) Motion by Commissioner Peterson seconded by Commissioner Carroll, to recess the public hearing on case number SU-24-1-2-1 to March 14, 2024 at 7:00 p.m. in the Council Chambers located at 20600 City Center Boulevard.

On roll call, the vote was:

AYES: Commissioner Peterson, Carroll, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

There being five (5) affirmative votes, the MOTION CARRIED.

Public Hearing was recessed at 7:38 p.m.

Chairman Thomas presented case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois. The paperwork was in order.

Chairman Thomas asked for a motion to open the public hearing on case number V-24-1-2-1.

(#4) Motion by Commissioner Deserio seconded by Commissioner Slabozeski, to open a public hearing on case number V-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Deserio, Slabozeski, Carroll, Peterson, Chairman Thomas.

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

There being five (5) affirmative votes, the MOTION CARRIED.



Chairman Thomas asked our Interim Planner Maura Rigoni to present the specifics of the case. Interim Planner Maura Rigoni commented that this is a three variation requests for the property located at 2001 Noonan Street. This request would allow a 12' x 32' (384 square foot) shed to remain on the property. This shed is currently on two easements on the west and south side which is not permitted to be in easements but does not meet the required setback as outlined in the ordinance. The request today is for the setbacks for the actual structure itself. This is a unique lot which does has a through lot. There is also a 22' non-access strip of public utility and cable television strip that is along the rear of the property line. The shed is placed 13.8 feet within that easement. There is also a utility and drainage easement along the southside of the property which the shed is in there as well. There is an ordinance stating that you cannot place any structures in any utility easements due to access and drainage purposes for the impact it would have for drainage of water.

Interim Planner Rigoni commented that no building permit was approved for this shed and the building inspectors have gone out to the property and reviewed it, which the report is in the packet. There are three variations, and this would need to comply with all building requirements.

Chairman Thomas asked Mr. Dainius Kasperavicius, the property owner, to approach the podium to be sworn in. Applicant was sworn in.

Dainius commented that his lot is unique, and it is the last lot on Noonan Street that connects to the Forest Preserve. In 2020, the Fire Department had flushed their pipes and the tree had fallen on his van and many city employees had come to the property and asked him to move the van where the tree was so they could fix the issue. He commented at that time is when he met a man named Kirk Wilkins. He commented that he informed Kirk that he was planning to put a bigger shed in that spot and Kirk said it was okay. He also commented that he bought the shed from the Amish people, and it was delivered in one piece.

Dainius stated that this shed has been sitting there three years and has not bothered anyone but this summer two inspectors from Crest Hill came knocking on the door looking around my property and asking about my shed and now I must have a Plat of Survey and a Hearing.

Dainius commented that he did not know there were regulations to follow, and he placed the shed on pavers. He then stated that because he keeps the equipment in the shed to maintain around the house all the snow and leaves. He commented that he would appreciate it if he could keep that shed and that size of shed.

Dainius stated that he had contacted J.U.L.I.E. to come and mark his property where the utilities are located and found out there is nothing underneath his shed or driveway or in the back area, all utilities are in the front of the house. (Dainius approached the dais and had shown pictures of the shed and lot).

Chairman Thomas asked the Commissioners if there are any questions.

Commissioner Peterson commented that when the city came to clean up the storm damage, you let them on your property to take care of the damage. He then asked Dainius if that is when he met Kirk and that is when Kirk gave you permission to go ahead and put that shed on your property because we are basically scratching each other's back when the tree fell on your van. Dainius commented that that is what happened but there is nothing on paper, it was all by word of mouth. He also commented that there was damage to his property and the insurance did not pay because the police report stated the tree was already removed, so insurance would not pay the claim and he commented that everything fell on his shoulders. He also commented that if Kirk had told him what he needed to do he would of did it at that time.

Commissioner Peterson commented that he drove past this property and noticed it is all fenced in and if no one would have approached you we would not be here since this shed has not bothered anyone and you previously had permission from our previous city inspector. Commissioner Peterson asked if there was a complaint about the shed. Dainius commented that he has no idea why they showed up on my property and the inspectors did not tell him why they are inspecting it now. Commissioner Peterson commented that is it correct that you called J.U.L.I.E and had them come out and then J.U.L.I.E. sent a letter to the city letting them know there are no utilities in the rear and that the city knows there is no utilities located where the shed is. Dainius commented that that is correct they know that no utilities are in the rear within the fence.

Commissioner Carroll commented that for clarification someone from the city told you that you could place the shed where you want it in the location it is now before you even put the shed in that location. Dainius commented that when he met Kirk, he thought that was fine and there would be no issues.

Commissioner Slabozeski commented that there is a reason we have these ordinances, which is for our safety. She also commented that the shed does not have hurricane ties and it is not supported on a hard surface and if the ground shifts the shed will shift overtime. Dainius commented that if that were the case he would call a handyman and dig it and make it stronger and do what needs to be done to be correct.

Commissioner Deserio commented that looking at the pictures in the packet and it looks like the shed is supported on pavers and gravel, which is a hard surface. He also commented that he has built bridges that sit on gravel and a bridge holds more weight than a shed and this should meet the standards of a hard surface.

Commissioner Peterson commented that we are here to decide the variance and we are not here to decide about hurricane ties. Commissioner Deserio commented that the shed is not meeting the variance because it is not on a hard surface. Interim Planner Rigoni commented that it is not meeting the variance because of the hard surface, it is because of the location of the shed in the proximity to the south property line and the west property line, and the easement and we cannot waiver requirements of the building code. Commissioner Peterson asked if we give him permission to leave it where it is located will he then just need to go through the building department to make it right. Interim Planner Rigoni commented to

make it legal in terms of a structure and not only the variation but also it will need to meet the required building codes. She also commented that essentially there is no permit for this, and it is like a retroactive permit, and they would have to go ahead and approve it and review it at that time.

Commissioner Carroll asked if the person who told you that you could place the shed where it is was a representative of the City of Crest Hill. Dainius commented that he was a representative from the city. Chairman Thomas commented that he was the building inspector and is no longer with the city.

Chairman Thomas commented that it is unfortunate that you must be here for a hearing, but it is what it is and what we need to do now is figure out how to fix this the easiest and least expensive way to make it safe and come to an agreement on the easements. He also stated that hurricane ties are a new ordinance wherever you are and if a strong wind comes and blows the roof off it could be deadly. He also commented that the base is not consistent and needs a solid surface and made safe.

Interim Planner Rigoni commented that since it must be relocated, the applicant will need to work with both City Engineer and Code Enforcement to reduce the impact of the variation request particularly around the south property line and then to minimize the west property line as greatly as we can.

Commissioner Carroll asked the applicant if he needed a twelve foot by thirty-foot shed. Dainius replied stating that he does need that size, he would have preferred even bigger, but he does need the size.

Commissioner Peterson asked why they would allow the applicant to keep his fence on the south property line but move the shed. Chairman Thomas commented that he was told the fence was already approved to go on that easement and is not the issue. He also commented that they allow a fence on an easement since they are easily able to move the fence, if needed. Dainius commented that the fence is already in by two feet on the south property line and then the shed is two feet from the fence. Interim Planner Rigoni commented that there is a twelve-foot drainage easement along the south property line and regardless of the setback we still have the easement variation.

Michael Schwabb, a neighbor of the applicant, commented that he has lived in the neighborhood since 1990 and the house that Dainius purchased was in bad shape and in foreclosure. Dainius came in and over time made many improvements to the home. Michael commented that because the improvements were building related, Dainius always had permits for the improvements on the home. He also commented that since Dainius bought the shed in one piece and had it delivered, he did not get a permit since he did not build the shed.

Chairman Thomas commented that we want to make this as painless as possible and find a way to make this safe and most economical.

Michael commented that when there was extensive damage from the tree and the insurance company needed to come out to investigate and the city could not wait to remove the tree, and he stated that he feels this is where one hand washed the other.

Chairman Thomas commented that there was an email received by Sharon Kerbis who is Dainius' neighbor and wanted this email read at the meeting. The email stated that she requests the Plan Commission to approve the variances requested for the property at 2001 Noonan Street. She also stated in the email that Mr. and Mrs. Kasperavicius have improved and enhanced the neighborhood with everything that they have done, and they are great neighbors and a definite asset to the community.

Chairman Thomas read another email that was received by another neighbor, Jessica London. The email stated that she lives on Ardaugh Avenue and has no issues with the structure in their backyard.

Chairman Thomas asked for a motion to recess the public hearing to March 14, 2024 at 7:00 p.m. in the Council Chambers located at 20600 City Center Boulevard.

(#6) Motion by Commissioner Carroll seconded by Commissioner Peterson, to recess the public hearing on case number V-24-1-2-1 until March 14, 2024 at 7:00 p.m. in the Council Chambers located at 20600 City Center Boulevard.

On roll call, the vote was:

AYES: Commissioner Carroll, Peterson, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

There being five (5) affirmative votes, the MOTION CARRIED.

The public hearing was closed at 8:21 p.m.

PUBLIC COMMENTS: There were no public comments.

There being no further business before the Commission a motion for adjournment was in order.

(#8) Motion by Commissioner Peterson, seconded by Commissioner Deserio, to adjourn the February 8, 2024 Plan Commission meeting.

On roll call, the vote was:

AYES: Commissioner Peterson, Deserio, Carroll, Slabozeski, Chairman Thomas.

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

There being five (5) affirmative votes, the MOTION CARRIED.

The meeting was adjourned at 8:22p.m.



As approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024  
As presented \_\_\_\_\_  
As amended \_\_\_\_\_

\_\_\_\_\_  
BILL THOMAS, COMMISSION CHAIRMAN

DRAFT

MINUTES OF THE  
CREST HILL PLAN COMMISSION

The March 14, 2024 Plan Commission meeting was called to order by Chairman Bill Thomas, at 7:00 p.m. in the Council Chambers of the City Center, 20600 City Center Boulevard, Crest Hill, Will County, Illinois.

The Pledge of Allegiance was recited in unison.

Roll call indicated the following present: Chairman Bill Thomas, Commissioner Ken Carroll, Commissioner Angelo Deserio, Commissioner Cheryl Slabozeski, Commissioner John Stanton, Commissioner Jeff Peterson, Commissioner Jan Plettau.

Also present were: Interim Community Development Director Ron Mentzer, City Attorney Alex Boyd, Administrative Clerk Samantha Tilley, Administrative Clerk Zoe Gates.

Absent were: Interim Planner Maura Rigoni, City Attorney Mike Stiff.

Chairman Thomas asked for the new people sitting at the dais to introduce themselves.

City Attorney Alex Boyd introduced himself and stated that he works with the law firm Spesia & Taylor and is here on behalf of the city attorney.

Interim Community and Economic Director Ron Mentzer introduced himself. He commented that his Great Uncle was Don Randich, and his other Uncle owns Sontag Speed Supply and he worked there on and off when he was growing up. He stated he is familiar with the area and the City of Crest Hill has a place in his heart. He has been doing this line of work for thirty-five years, where he retired from the Community Development Director position for Warrenville, Illinois. He stated that he is happy to be here and can answer any questions anyone might have.

APPROVAL OF MINUTES: Chairman Bill Thomas presented the minutes from the regular meeting held on February 8, 2024 for Commission approval.

(#1) Motion by Commissioner Deserio seconded by Commissioner Carroll, to approve the minutes from the regular meeting held on February 8, 2024, as presented.

On roll call, the vote was:

AYES: Commissioner Deserio, Carroll, Slabozeski, Peterson, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Stanton, Plettau.

ABSENT: None.

There being five (5) affirmative votes, the MOTION CARRIED.

PUBLIC HEARING: Chairman Bill Thomas presented case number SU-24-1-2-1, which was recessed at the last Plan Commission meeting on February 8, 2024. This request is from Lisa Holland, owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for

animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois. The necessary paperwork was in order.

Chairman Thomas asked for a motion to re-open the public hearing on case number SU-24-1-2-1.

(#2) Motion by Commissioner Peterson seconded by Commissioner Slabozeski, to open a public hearing on case number SU-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was opened at 7:04 p.m.

Chairman Thomas commented that this is a Special Use request and a parking variance request for the property at 2551 Theodore Street. The applicant is Lisa Holland from Cozy-Pawz Accommodations, LLC is requesting special use for a daycare and boarding business for dogs at this location which is in the B3 zoning district. He commented that the reason we had to recess the meeting last month and re-open it tonight is because we had realized that we had not properly sent out the notifications to all the residents and they now have been properly notified.

Chairman Thomas asked if anyone in the audience would like to make a comment regarding Cozy-Pawz.

Kathleen Roth approached the podium and was sworn in. She commented that she has been a customer of Cozy-Pawz for a year and a half and she is a teacher in Chicago who travels far for work and lives in Plainfield. She stated that she can do her job easier knowing her dog is well taken care of by Lisa Holland. She also stated that wherever Lisa goes she will follow, and she hopes that her new location will be in Crest Hill.

Chairman Thomas asked Lisa Holland to approach the podium for further questions and to be sworn in. Lisa approached the podium and was sworn in. Chairman Thomas asked her if she had any questions or comments, and she did not. He then asked if any of the Commissioners had any questions at this time.

Commissioner Stanton asked if anyone would be sleeping overnight with the animals. Lisa commented that for the safety of the animals there would be night staff at the location with the animals during the non-business hours in case something happens. Commissioner Stanton commented that the reason he is mentioning this is because he wanted to make sure the dogs go out quickly in case of fire. Lisa commented that she would think the customers would want someone there with the animals to shuffle them out in case of an emergency instead of fending for themselves until someone can get there.

Commissioner Slabozeski asked what the cleaning protocol would be. Lisa commented that the feces are cleaned up twice a day, which is usually around 10:00 a.m. when all the animals have



arrived and then again between 2:00 and 4:00 p.m. after lunch and before dinner. If they had more dogs, they would implement more cleaning times. She commented that they double bag the feces and whenever the garbage pick-up would be is when it would be discarded. She also stated that she would get a dumpster if needed. Lisa then commented that they have all the cleaning supplies and disinfectants for the inside and the floors.

Chairman Thomas asked where the large feces container would be stored. Lisa commented that she believes it would be on the side closest to where the gate would open, which is the farthest away from the building.

Chairman Thomas asked how far out towards Theodore would a fence be placed. Lisa commented that there is a retention pond there and would be six to eight feet from the building.

Chairman Thomas commented that he noticed the fence is going to be a six-foot shadowbox design and recommended that it be composite instead of cedar and when composite is used, they will use steel instead of wood which will rot overtime.

Chairman Thomas asked for a motion to close the public hearing.

(#3) Motion by Commissioner Carroll seconded by Commissioner Peterson, to close the public hearing on case number SU-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Carroll, Peterson, Plettau, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The Public Hearing was closed at 7:17 p.m.

Chairman Thomas commented that if this is approved there would be eight (8) conditions of the Special Use, which are:

- No dog walking is allowed from the subject property/facility. All dog walking services provided by the business would be provided off-site at the customer's location.
- Dogs are allowed to be in the outdoor fenced area during the hours of operation of the business, which are as follows:
  - Monday through Friday 6:30 a.m. – 7:00 p.m.
  - Saturday 8:00 a.m. – 4:00 p.m.
  - Sunday 9:00 a.m. – 3:00 p.m.
- Employees may remain on the property outside of normal business hours only during the instances where dogs are on the property for overnight boarding. The facility shall not provide overnight accommodation that represents sleeping or living quarters.
- Dogs being boarded overnight may utilize the outdoor fence area within the hours prescribed in the noise ordinance.

For your reference, the hours of the noise ordinance are as follows:

- Sunday 8:00 a.m. to 10:00 p.m.
- Monday, Tuesday, Wednesday, and Thursday 6:30 a.m. to 10:00 p.m.
- Friday 6:30 a.m. to 11:00 p.m.
- Saturday 8:00 a.m. to 11:00 p.m.

Lisa Holland commented that she would hope that if the dog needs to go out during non-hours, how would that work. Chairman Thomas commented that the big issue is the noise and the intent on this was that the noise was not late at night, but he understands that we can put a clause in here regarding an emergency.

- The outdoor area must be secured by fencing on all sides. At such time, should the fencing on the adjacent property to the east be removed, the business owner must install fencing along the east property line immediately.

Lisa commented that she was putting a fence up anyways to make sure that it is fenced all the way around and not worry if the fence that is there now ends up getting taken down.

- The Plan Commission is encouraged to discuss the removal and location of waste on the property. Below is an example of a condition the Commission may consider:
  - The business owner shall clean/remove feces from the outdoor dog area (insert frequency) times a day. All containers utilized for feces waste are to be located (insert location) and removed from the site (insert frequency).
- All overhead garage doors must be closed when not actively being used to move products or dogs in and out of the Cozy Pawz space.
- There will be seven parking spaces allocated for Cozy-Pawz Accommodation, LLC.

Chairman Thomas asked for a motion to recommend approval of the request for case number SU-24-1-2-1, for a request from Lisa Holland owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois contingent on the above eight (8) conditions previously mentioned.

(#4) Motion by Commissioner Peterson seconded by Commissioner Slabozeski, to recommend approval of the request for case number SU-24-1-2-1, for a request from Lisa Holland owner of Cozy-Pawz Accommodations, LLC seeking approval of a B3- Special Use for animal shelter/kennel and a variance for parking on property located at 2551 Theodore Street, Crest Hill, Illinois contingent on the above eight (8) conditions previously mentioned.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

Chairman Thomas informed the petitioner that the Plan Commission is a recommendation body only. The City Council will hear the case at a future meeting.

Chairman Thomas presented case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois.

Chairman Thomas asked for a motion to re-open the public hearing on case number V-24-1-2-1.

(#5) Motion by Commissioner Deserio seconded by Commissioner Plettau, to re-open a public hearing on case number V-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Deserio, Plettau, Peterson, Stanton, Carroll, Slabozeski, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was opened at 7:26 p.m.

Chairman Thomas commented that this is a variance request for the property at 2001 Noonan Street. The applicant is Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property. He commented that the reason we had to recess the meeting last month and re-open it tonight is because we had realized that we had not properly sent out the notifications to all the residents and they now have been properly notified.

Chairman Thomas asked if anyone in the audience would like to approach the podium and make a comment. There were no comments.

Chairman Thomas asked the applicant to approach the podium and be sworn in. He then asked the applicant, Dainius Kasperavicius, if he wanted to make any additional comments regarding his case. He did not have any additional comments.

Chairman Thomas asked if any Commissioners had any questions.

Commissioner Plettau commented that he noticed the shed is sitting on an easement and noticed it does not have a concrete foundation. Chairman Thomas commented that that is correct and gave a quick summary of this case. He stated that when the shed was placed there was no permit, and this was made known to the City of Crest Hill by a resident. Our Building Department then went out and inspected this shed and noted that it was violating the south and west easements and was sitting on a storm drain easement. Chairman Thomas also mentioned that while the inspector was there, they also found several building code violations which has been discussed with the applicant. Commissioner Plettau asked if the applicant is willing to move the shed and if they needed to get in there and it would be at the cost to the applicant. Dainius Kasperavicius commented that he understood that and agreed to it.



Commissioner Stanton commented that if the city needs to go in there to fix the drainage and the applicant puts down this foundation and now the shed is compromised or demolished who is going to pay for this. Chairman Thomas commented that the applicant who is the property owner will be paying for this. Commissioner Stanton commented that this would be a huge expense.

Chairman Thomas asked the applicant to share what his plans are for this shed. Dainius commented that since the last time they had meant he had contacted a concrete company to place the foundation. He also commented that the shed has been sitting there over two years already and it is very tight and secure. He also commented that he can move it or do whatever needs to be done to make it legal.

Chairman Thomas commented that they met with the City Engineer and the Building Department to see what could be done to minimize and fix this situation. He also commented that he was told that the applicant agreed to raise the shed and place a cement foundation under the shed. Dainius commented that he is okay with that if this is what needs to be done.

Chairman Thomas commented that he received a memo from the engineer stating that:

“The location of the existing shed currently is not impeding existing drainage. Stormwater is still getting to the property to the south by flowing around or underneath the shed/garage. If in the future, drainage was needed to be installed to correct a drainage issue at the south end of the subdivision then connecting to the existing storm sewer located in the right of way of Gaylord will require the removal of the existing shed at that time. Currently the city is not aware of any issues with drainage in this area which would require any future drainage installation.”

Commissioner Stanton commented that when the foundation is placed it will block the flow of the water.

Commissioner Peterson asked Dainius if he ever has had water in his backyard, and he stated he has not. Commissioner Peterson then commented that the engineer's statement states if it ever were to happen it would go around or under the shed, but he has never had any drainage water coming from the north to the south in six years.

Commissioner Stanton commented that you can discuss it all you want but it is compromised by the object and will be impounded with the foundation.

Commissioner Deserio commented that the engineer is recommending it be placed on a concrete slab/solid base. Commissioner Plettau commented that he agreed with Commissioner Stanton to where if you are placing a foundation why not just move the shed off the easement. Commissioner Deserio commented that based on the property limits he cannot move it based on the zoning ordinances with the space of structure on the property lines. He also stated that where it is now, it meets the requirements of the property lines. Administrative Clerk Zoe Gates commented that it does not meet the zoning requirements because it is too close to the property line. Chairman

Thomas commented that they are willing to let that go if he meets the conditions, and the City Engineer feels strongly that the storm sewer issue is not going to happen.

Commissioner Deserio commented that the best thing to direct flow of water is stone and if a concrete slab is placed it will divert and pool the water, and stone would allow it to flow and give to the easement. He also commented that the shed has been there two years and is solid and the city engineer is stating it will not cause any impact, therefore he feels this is a dead issue.

Chairman Thomas commented that to allow the shed to remain in its current position would be conditioned upon the following:

- The applicant acknowledges this accessory structure is located in a stormwater and public utility easement and that the installation of the accessory structure at this location is at their own risk.
- If the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the area, it is understood the accessory structure may be impacted. The restoration is the responsibility of the property owner, not the city or the utility company.

Chairman Thomas explained to the applicant if we move forward with this, and you agree to the conditions there would be a document to sign stating you agree and understand that the applicant is responsible for any damage occurring to the shed from the city having to fix something in that easement.

Chairman Thomas also explained to the applicant that that document he would sign if he agreed would be attached to his property and if he were to sell the property the new owner would inherit that document.

Commissioner Carroll commented that he wants to make sure the applicant is aware that this could be very expensive.

Commissioner Stanton asked if the city comes in to move the shed and destroys the foundation is the owner committed to pay for the damages. Chairman Thomas commented that if he signs the document he is agreeing to except the damages and the cost. Commissioner Stanton asked the applicant if he realized how much this would cost.

Chairman Thomas explained to the Commissioners that this case is really about the three variances and not the code violations, and that they have nothing to do with the code violations. He also commented that their job is to approve the variances or not approve the variances.

Commissioner Carroll asked if the document would have language stating the applicant must fix the code violations. Interim Director Mentzer commented that the city planner recommends the commission to consider adding two conditions to the approval of the variance, if approved. He then stated this would then be attached to the recommendation with conditions and be attached to the ordinance.

Dainius commented that he likes Crest Hill, his children were born here, and he plans to live here for their future.

Chairman Thomas asked for a motion to close the public hearing on case number V-24-1-2-1.

(#6) Motion by Commissioner Plettau seconded by Commissioner Carroll, to close the public hearing on case number V-24-1-2-1.

On roll call, the vote was:

AYES: Commissioner Plettau, Carroll, Peterson, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The public hearing was closed at 7:51 p.m.

Chairman Thomas asked for a motion to recommend approval of the request for case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois with two (2) conditions previously mentioned.

(#7) Motion by Commissioner Peterson and seconded by Commissioner Deserio, to recommend approval of the request for case number V-24-1-2-1, a request of Dainius Kasperavicius seeking approval of three variances to permit an accessory structure on the property located at 2001 Noonan Street, Crest Hill, Illinois with two (2) conditions previously mentioned.

On roll call, the vote was:

AYES: Commissioner Peterson, Deserio, Plettau, Carroll, Slabozeski, Chairman Thomas.

NAYES: Commissioner Stanton.

ABSENT: None.

There being (6) affirmative votes, the MOTION CARRIED.

Chairman Thomas commented that this approval of the three requested variances in no way affects the facts that there are still building code violations that need to be corrected, which are:

- Permits need to be acquired for both the shed and the paver bricks at the entrance.
- The shed needs to be supported on a hard surface.
- The shed needs to be attached to a hard surface.
- The shed needs to have hurricane ties on the trusses.

Chairman Thomas informed the petitioner that the Plan Commission is a recommendation body only. The City Council will hear the case at a future meeting.

PUBLIC COMMENTS: There were no public comments.



There being no further business before the Commission a motion for adjournment was in order.

(#8) Motion by Commissioner Peterson, seconded by Commissioner Slabozeski, to adjourn the March 14, 2024 Plan Commission meeting.

On roll call, the vote was:

AYES: Commissioner Peterson, Slabozeski, Deserio, Plettau, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being seven (7) affirmative votes, the MOTION CARRIED.

The meeting was adjourned at 7:54p.m.

As approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024

As presented \_\_\_\_\_

As amended \_\_\_\_\_

\_\_\_\_\_  
BILL THOMAS, COMMISSION CHAIRMAN