

MINUTES OF THE
CREST HILL PLAN COMMISSION

The August 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 John Stanton, Commissioner Jeff Peterson, Commissioner Cheryl Slabozeski.

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

APPROVAL OF MINUTES: Chairman Thomas asked for a motion to approve the minutes from the regular meeting held on July 11, 2024, for Commission approval.

(#1) Motion by Commissioner Carroll seconded by Commissioner Slabozeski, to approve the minutes from the regular meeting held on July 11, 2024.

On roll call, the vote was:

AYES: Commissioners Carroll, Slabozeski, Deserio, Stanton, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Peterson.

ABSENT: None.

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

PUBLIC HEARING: Chairman Bill Thomas presented case number RZ-24-2-8-1, which is a request of Raphael Prado seeking approval of (i) the rezoning of the property located at the Northwest Corner of Plum Street and Caton Farm Road and legally described below from R-3 Residential in Unincorporated Will County to R-1B Single Family Residence District in the City of Crest Hill and (ii) a setback variation to Table 1 of the City of Crest Hill Zoning Ordinance that would reduce the minimum required building setback along the Caton Farm Road frontage of this property from 30 feet to 20 feet in Crest Hill, Illinois.

Chairman Thomas asked if the paperwork is in order. The necessary paperwork was in order.

Chairman Thomas asked for a Motion to Open the Public Hearing on Case Number RZ-24-2-8-1.

(#2) Motion by Commissioner Deserio seconded by Commissioner Peterson, to open a public hearing on case number RZ-24-2-8-1.

On roll call, the vote was:

AYES: Commissioners Deserio, Peterson, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Slabozeski.

ABSENT: None.

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

The Public Hearing was opened at 7:03 p.m.

Chairman Thomas asked the Administrative Clerk Zoe Gates to present the specifics on this case.

Administrative Clerk Zoe Gates commented that this is a property in unincorporated Will County that are annexing into the City of Crest Hill. When a property annexes in the city, it automatically goes to a restricted zoning which is R-1A, and this would not be a buildable lot in R-1A, which is why they are requesting a rezoning to R-1B. This is two lots, but the owner is already in the process with Will County of combining the two lots. The setback request is to reduce the front property line from thirty feet to twenty feet.

Chairman Thomas asked Mr. Prado to approach the podium. Raphael and Gabriella Prado approached the podium and were sworn in.

Raphael Prado commented that they really are wanting to incorporate into the City of Crest Hill and build their forever home. There are a couple of things they are requesting to make this their forever home.

Chairman Thomas asked if any Commissioners had any questions or comments.

Commissioner Peterson commented that they had been to a City Council Work Session and the City Council was receptive of these requests and encouraged the property owner to take the next steps in the formal process, and asked the applicant if that was correct. Raphael commented that it was correct.

Chairman Thomas asked if there was anyone in the audience who wanted to make a comment for or against this case. Let the record reflect no one approached the podium to comment.

Chairman Thomas asked for a Motion to Close the Public Hearing on Case Number RZ-24-2-8-1.

(#3) Motion by Commissioner Deserio seconded by Commissioner Carroll, to close the public hearing on case number RZ-24-2-8-1.

On roll call, the vote was:

AYES: Commissioners Deserio, Carroll, Peterson, Stanton, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Slabozeski.

ABSENT: None.

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

The Public Hearing was closed at 7:07 p.m.

Attorney Stiff commented that the reason the applicant went to the Work Session Meeting with the Council was because the parcel is not yet in the City of Crest Hill. The Council will have to annex the property before it can be rezoned and the Council was receptive to the annexation, in which they sent it back to the Plan Commission to make a recommendation on the zoning. Attorney Stiff also commented that if the recommendation were in favor of the rezoning, it would be contingent upon the City Council annexing the property.

Chairman Thomas asked for a motion to Approve the request for case number RZ-24-2-8-1, for Raphael Prado seeking approval of (i) the rezoning of the property located at the Northwest Corner of Plum Street and Caton Farm Road and legally described below from R-3 Residential in Unincorporated Will County to R-1B Single Family Residence District in the City of Crest Hill and (ii) a setback variation to Table 1 of the City of Crest Hill Zoning Ordinance that would reduce the minimum required building setback along the Caton Farm Road frontage of this property from 30 feet to 20 feet in Crest Hill, Illinois.

(#4) Motion by Commissioner Peterson seconded by Commissioner Stanton, to Approve the request for case number RZ-24-2-8-1, for case number RZ-24-2-8-1, for Raphael Prado seeking approval of (i) the rezoning of the property located at the Northwest Corner of Plum Street and Caton Farm Road and legally described below from R-3 Residential in Unincorporated Will County to R-1B Single Family Residence District in the City of Crest Hill and (ii) a setback variation to Table 1 of the City of Crest Hill Zoning Ordinance that would reduce the minimum required building setback along the Caton Farm Road frontage of this property from 30 feet to 20 feet in Crest Hill, Illinois.

On roll call, the vote was:

AYES: Commissioners Peterson, Stanton, Carroll, Deserio, Chairman Thomas.

NAYES: None.

ABSTAIN: Commissioner Slabozeski.

ABSENT: None.

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

Chairman Thomas informed the petitioner that the Plan Commission is a recommendation body only.

Chairman Bill Thomas presented case number V-24-3-8-1, which is a request of Scott McFedries seeking approval of Variations to Sections 6.6-1 B., 8.3-5, 8.3-6 a., and 8.3-9.2 b. of the Crest Hill Zoning Ordinance for the Property located at 1940 Sybil Drive, Crest Hill, Illinois. If approved, the requested variations would permit total lot coverage on the property to exceed 50%, an existing above ground pool, storage shed, and brick paver patio to encroach into a combined public utility and drainage easement, and multiple existing accessory structures (multiple decks, a paver brick patio, a storage shed, and a pool) to be located closer to side and rear property lines than normally allowed.

Chairman Thomas asked if the paperwork is in order. The necessary paperwork was in order.

Chairman Thomas asked for a motion to Open the Public Hearing on Case Number V-24-3-8-1.

(#5) Motion by Commissioner Peterson seconded by Commissioner Slabozeski, to open a public hearing on case number V-24-3-8-1.

On roll call, the vote was:

AYES: Commissioners Peterson, Slabozeski, Deserio, Stanton, Carroll, Chairman Thomas.

NAYES: None.

ABSENT: None.

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

The Public Hearing was opened at 7:13 p.m.

Chairman Thomas asked the Administrative Clerk Zoe Gates to present the specifics on this case.

Administrative Clerk Zoe Gates commented that this is a variety of variations at a single-family home which would be for the swimming pool, shed, decks, and patio. It was noted that the paver brick patio was in the process of being replaced and there is a stone base where the paver bricks were placed. The applicant would like to be granted all the variances but noted they would like to discuss the complete removal of the patio and patio base that is there currently. There is a public utility and drainage easement along the rear property line/east property line, and this was inspected and there is nothing there currently affecting the water drainage. She also noted that the underground electrical lines are at least five feet from the edge of the pool, which is required by ordinance and marked by J.U.L.I.E.

Clerk Gates commented that it was important to note that the decks are slightly over their property line into the neighbor's property, and we cannot grant a variance for that but there is a letter from the neighbor stating that they are aware of that and are okay with that.

There are similarities of this shed that we recently passed in another case, and we do have those conditions listed for this variance as well.

Clerk Gates commented that if approved, these variations should be tied to the existing structures and not applied to any new structures coming in.

Chairman Thomas asked for the applicant to approach the podium and be sworn in. Scott McFedries and his wife approached the podium and were sworn in. He commented that he was the original owner of the house, he purchased it in 1992. He also commented that when he purchased the home, he was twenty-eight years old and had no idea that complications would arise currently for something he had done back then, and he had no idea there were specific boundaries for the things he was placing on his property.

Mrs. McFedries commented that they are just trying to beautify their home and backyard and would like to keep it that way.

Chairman Thomas asked if any Commissioners had any questions or comments.

Commissioner Peterson asked the applicant how this came about and why you are here currently. Scott commented that he contacted the City and asked if he needed permits to renovate his deck

and to replace his pool and was told if he was replacing the existing deck and pool and not doing anything structural, they would not need a permit, but they did not know that he originally did not pull a permit in the beginning. Mrs. McFedries commented that they then replaced the deck and the pool and assumed the same would go with the permit for the pavers. She then commented that the Building Commissioner Don Seeman had went to the property when they were pulling up the pavers and that is when they were cited for not being within code. Commissioner Peterson asked if the backyard is all fenced in, and it was said that they are all fenced in.

Commissioner Stanton asked how much they are exceeding the 50% coverage. Clerk Gates commented that they are at 58.1% coverage, which is exceeding 8.1% coverage. Clerk Gates commented that the removal of the paver brick patio base would get them under the 50% coverage limit.

Chairman Thomas asked if there was anyone in the audience who wanted to make a comment for or against this case.

Tom Adcock, a resident at 1941 Sybil Drive, approached the podium and was sworn in. Tom commented that he really hopes that this will be approved since it is really only eight percent over the 50% and Scott takes care of his property, his property is one of them houses you want your house to look like and he has put a lot of money into his backyard. He then commented that he hopes it is approved because Scott deserves it.

Tom Sawyer, a resident at 1949 Sybil Drive, approached the podium and was sworn in. Tom commented that he has lived in his home for three years and Scott has been a very good inspiration for them. He also commented that he could not ask for a better neighbor, who takes care of their home and property, and it looks nice.

Chairman Thomas asked for a Motion to Close the Public Hearing on Case Number V-24-3-8-1.

(#6) Motion by Commissioner Carroll seconded by Commissioner Peterson, to close the public hearing on case number V-24-3-8-1.

On roll call, the vote was:

AYES: Commissioners Carroll, Peterson, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

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

The Public Hearing was closed at 7:23 p.m.

Chairman Thomas asked if the 8% coverage over the allowed 50% includes if the pavers were to go back down. Clerk Gates commented that the 8% is with all the variances including the brick paver patio.

Commissioner Stanton asked if there was an engineer's report. Clerk Gates commented that there is not a formal report, but the city's engineer did go to the property specifically wanting to look at the drainage easement to the rear of the property and he did state that there currently is no blockage

to the natural drainage. Commissioner Stanton commented that because of the report he figures that the 8% overage is not an issue.

All Commissioners stated that the 8% over is not an issue for them.

Commissioner Carroll asked if the applicant is aware that he would be responsible for the restoration of the shed if the shed must be moved if for some reason the City must come in and do work, and the applicant stated that he is aware of that.

Chairman Thomas commented that he drove by the applicants home and it is beautiful, and he would agree that the entire area is a very nice part of Crest Hill and kept up very well.

Chairman Thomas read the conditions and asked the applicant if he agrees with the conditions. The conditions are as follows:

- a) You acknowledge that the accessory structures (above ground pool, storage shed, wooden deck and paver patio) are located in a stormwater and public utility easement and that if the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the easement area, it is understood that the accessory structures may be impacted and may be required to be moved and that any and all restoration costs of work done in the easement area shall be solely the responsibility of the Home Owner and not the responsibility of the City or the utility company.
- b) You will obtain required building permits for all accessory structures that will be allowed to remain on the property and will pay any and all fees and fines associated with these building permits.

Commissioner Peterson asked if the applicant is going to be fined for not getting a permit 28 years ago. Clerk Gates commented yes that the new items that were replaced which is the pool and the paver brick patio, and they have applied for the permits, but they were denied because of the coverage and the distance but they will also require a permit for the deck and the shed. Commissioner Peterson then asked if they just applied for the permits do they have to pay the fine. Clerk Gates commented that in the ordinance it states for doing work without a permit that the penalty fee is three times the amount of the permit plus the actual permit fee. Clerk Gates commented that for all four of his items the permit fee would be \$75.00 each but with the penalty fee they will be \$300.00 each.

Chairman Thomas asked for a motion to Approve the request for case number V-24-3-8-1, Scott McFedries seeking approval of Variations to Sections 6.6-1 B., 8.3-5, 8.3-6 a., and 8.3-9.2 b. of the Crest Hill Zoning Ordinance for the Property located at 1940 Sybil Drive, Crest Hill, Illinois. If approved, the requested variations would permit total lot coverage on the property to exceed 50%, an existing above ground pool, storage shed, and brick paver patio to encroach into a combined public utility and drainage easement, and multiple existing accessory structures (multiple decks, a paver brick patio, a storage shed, and a pool) to be located closer to side and rear property lines than normally allowed.

(#7) Motion by Commissioner Carroll seconded by Commissioner Peterson, to Approve the request for case number V-24-3-8-1, for Variations to Sections 6.6-1 B., 8.3-5, 8.3-6 a., and 8.3-9.2 b. of the Crest Hill Zoning Ordinance for the Property located at 1940 Sybil Drive, Crest Hill, Illinois contingent on his approval, for which he gave, of the conditions below:

- a) You acknowledge that the accessory structures (above ground pool, storage shed, wooden deck and paver patio) are located in a stormwater and public utility easement and that if the City or another authorized utility company needs to access, maintain, install, or repair any utilities within the easement area, it is understood that the accessory structures may be impacted and may be required to be moved and that any and all restoration costs of work done in the easement area shall be solely the responsibility of the Home Owner and not the responsibility of the City or the utility company.
- b) You will obtain required building permits for all accessory structures that will be allowed to remain on the property and will pay any and all fees and fines associated with these building permits.

The variances approved in a) above pertain only to the existing structures cited. Any new construction will have to abide by current ordinances.

On roll call, the vote was:

AYES: Commissioners Carroll, Peterson, Stanton, Slabozeski, Deserio, Chairman Thomas.

NAYES: None.

ABSENT: None.

There being six (6) 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 and have an official vote.

OTHER BUSINESS: Chairman Thomas commented that he has discussed with the Commission implementing Municode for Plan Commission Packets.

Interim City Planner Maura Rigoni commented that all packets for the City Council are uploaded and received online through Municode. This can be accessed by the elected officials and the public as well. Planner Rigoni commented that the City is moving forward and implementing Municode and how the Plan Commission will receive their packets.

Chairman Thomas asked if some Commissioners can still get paper packets. Interim Planner Rigoni commented that it is common in municipalities, and they are trying to move to this since there are cost savings that come from this. When a packet is prepared there is the time that the administrative staff writes, types, and prints the report, prepares the packet, and then has law enforcement drop the packets off, as well, so there is time and cost savings.

Chairman Thomas commented that some Commissioners are not in favor of this, and he thought that some Council members said they still receive paper copies. Clerk Christine Vershay-Hall

commented that all Council members receive the electronic packet by their tablet but if they want a full copy, we can print it for them, but we are trying to get away from printing the packets.

Clerk Vershay-Hall also commented that it is getting expensive for the paper, ink, and time to print these packets. She did say if there is something they would like printed that is big, the Clerk's Office or the Building Department would be happy to print it for them, otherwise, you can always print the packets yourself.

Chairman Thomas asked if they would be given laptops or tablets. Clerk Vershay-Hall commented that she received a quote for tablets and/or laptops, and they are still needing another proposal. She then showed her tablet, and they passed it around and discussed how you could zoom in and out.

Commissioner Slabozeski asked how hard it would be to get a replacement tablet if it gets damaged. Clerk Vershay-Hall commented that we have not had a damaged tablet yet. They come with a hard cover to protect them.

Clerk Gates commented that our IT Department is very responsive and assuming something is in stock our IT Department can have it up and running and installed within a week if not less.

Clerk Vershay-Hall commented that the Council has not seen the proposal yet and until it is approved by the Council the Commission will still receive paper packets.

Chairman Thomas commented that it does not sound like you are asking us if they want to do it, it sounds like you are telling us we are going to do it, and he asked if there could be a training class to go over Municode. Clerk Vershay-Hall commented that we can provide a training.

Chairman Thomas commented that at the last meeting we discussed and agreed to place on the agenda the consideration of the updated Bylaws for approval. He then commented that the City of Crest Hill Code of Ordinance Manual has not had the Plan Commission section updated for a long time and that would need updated before we can approve the Bylaws.

Attorney Stiff commented that he would have to bring a discussion item with proposed clean-up language to those sections of the Crest Hill Ordinance Manual before we can update the Bylaws. He then commented that the Code of Ordinances are the laws of the city and Bylaws are guidelines on how to conduct the meetings and if the Bylaws conflict with the Ordinance, then the Ordinance takes precedence.

Attorney Stiff commented that he would get this on a Work Session Agenda in August and get the Council's input and then get it to a Regular City Council Meeting with whatever language they make and once that Ordinance has passed, we can then update the Bylaws.

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 August 8, 2024, Plan Commission meeting.

On roll call, the vote was:

AYES: Commissioners Peterson, Slabozeski, Deserio, Carroll, Stanton, Chairman Thomas.

NAYES: None.

ABSENT: None.

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

The meeting was adjourned at 7:56p.m.

As approved this _____ day of _____, 2024.

As presented _____

As amended _____

BILL THOMAS, COMMISSION CHAIRMAN