



## Plan Commission

Crest Hill, IL

August 08, 2024

7:00 PM

Council Chambers

20600 City Center Boulevard, Crest Hill, IL 60403

## Agenda

### Call to Order:

Pledge of Allegiance

Roll Call

### Minutes:

1. Approve the Minutes from the Plan Commission Meeting Held on July 11, 2024.

### New Business:

2. Public Hearing and Consideration of Case Number RZ-24-2-8-1 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.
3. Public Hearing and Consideration of Case Number V-24-3-8-1 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.

### Other Business:

4. Discussion of Implementing Municode for Plan Commission Packets.
5. Consideration of Updated Bylaws.

### Public Comment:

The Agenda for each regular meeting and special meeting (except a meeting held in the event of a bona fide emergency, rescheduled regular meeting, or any reconvened meeting) shall be posted at the City Hall and at the location where the meeting is to be held at least forty-eight (48) hours in advance of the holding of the meeting. The City Council shall also post on its website the agenda for any regular or special meetings. The City Council may modify its agenda for any regular or special meetings. The City Council may modify its agenda before or at the meeting for which public notice is given, provided that, in no event may the City Council act upon any matters which are not posted on the agenda at least forty-eight (48) hours in advance of the time for the holding of the meeting.

**Adjournment:**

## MINUTES OF THE CREST HILL PLAN COMMISSION

The July 11, 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.

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

Absent were: Commissioner Jeff Peterson, Commissioner Cheryl Slabozeski.

APPROVAL OF MINUTES: Chairman Thomas asked for a motion to approve the minutes from the regular meeting held on June 27, 2024, for Commission approval.

(#1) Motion by Commissioner Carroll seconded by Commissioner Deserio, to approve the minutes from the regular meeting held on June 27, 2024.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

PUBLIC HEARING: Chairman Bill Thomas presented case number RZ-24-1-7-1, which is a request of Marian Patkowski seeking approval of the rezoning of the property located at 1817 North Broadway Street, Crest Hill, Illinois from R-1 Single Family Residence District to R-2 Two Family Residence District. The necessary paperwork was in order.

Chairman Thomas asked for a motion to Open the Public Hearing on case number RZ-24-1-7-1.

(#2) Motion by Commissioner Deserio seconded by Commissioner Carroll, to open a public hearing on case number RZ-24-1-7-1.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

The Public Hearing was opened at 7:02 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 rezoning from R-1 to R-2 for the location at 1817 N. Broadway Street. Currently there is mixed zoning surrounding the property, which is business and residential. There is a Comprehensive Plan for the land use and development suggested for the area which does indicate the wish of the city would be business zoning exclusively. Also, this property, with a previous owner, came before Plan Commission and the City Council in 1998 and was denied a request to rezone from R-1 to R-2.

Chairman Thomas asked if any Commissioners have any questions.

Commissioner Deserio asked if there is a certain reason it was denied in 1998. Administrative Clerk Gates commented that she did go through the records in the vault and did not find any discussion at that time as to why. She did state the Comprehensive Plan is from 2014 which is after the denial, and she has no reason.

Commissioner Carroll commented that the Comprehensive Plan has been in effect for ten years and asked if the city is still serious about pursuing the Comprehensive Plan. Administrative Clerk Gates commented that nothing is in the works at that exact address proposed but the current owner does not want to use this location for business purposes. This would be the city's choice whether they wish to continue to follow the Comprehensive Plan.

Interim City Planner Maura Rigoni commented that the Comprehensive Plan is used as guide in terms of development and even though nothing is happening now it could purely be the lack of development in the area. Not only are you tasked with the standards that are in the packet, but you also must look and see if it is consistent with the Comprehensive Plan.

Chairman Thomas asked Attorney Daniel Stefanczuk, the representative for the case, to approach the podium and be sworn in. Attorney Daniel Stefanczuk was sworn in. He explained that when his client/the applicant purchased this property it was a two unit and had already been flagged by the city with illegal tenants living there. The house is already conformed to the R-2 type of situations with two floors. This single-family home property has already been transformed into two units. He then explained across the street is commercial and vacant land but if you look to the south there is a single-family home that is rezoned to commercial with a plumbing business running out of it and to the north there is a massive multi-unit structure. Administrative Clerk Gates verified that to the north is a remodeling business that is zoned B-2 and to the south is a four-unit property that is zoned R-3, and it is empty, and the owner is considering demolition and rezoning to business zoning, although no action has been taken.

Attorney Stefanczuk explained his client would like this zone as a two-unit since it is on a major thoroughway and most single-family homes have been converted into store fronts or businesses.

Chairman Bill Thomas explained that the intention of the Comprehensive Plan is to have that entire area of Broadway Street from Caton Farm Road to Theodore Street to be all commercial type buildings and no residences.

Chairman Thomas asked the Commissioners if there were any more questions.

Commissioner Stanton asked when this property was converted to a two-unit structure. Attorney Stefanczuk stated the applicant purchased the property in 2022 and the property was in violations when it was purchased in 2022. He also commented that he is not sure when it was converted since when they purchased the property it was already a two-unit, but he did note that there has been two electrical meters since 2008 on Google Street view. He commented that he believes this was converted way before 2008 and assumed anywhere from 1996 through 2000. Administrative Clerk Gates commented that there were no permits on file for any work or the conversion but commented that there is only one water meter.

Interim City Planner Rigoni commented that any changes made to the property would have to comply with all building codes and regulations and be evaluated. Attorney Stefanczuk commented that if this were approved, he then would go back to his client request that an inspection take place and see what needs to be completed to get the property efficient for R-2 zoning.

Commissioner Stanton asked if the Building Department has done an evaluation for life safety. Administrative Clerk Gates commented that the Building Department has not been able to do a full inspection of the property. Attorney Stefanczuk commented that the Building Department was out for electrical purposes, but he also believed they checked plumbing as well.

Commissioner Stanton asked if they were to approve this request, would the Building Department make sure it complies with all building regulations and the life safety code. Interim Planner Rigoni commented that they would inspect and make sure they comply with all codes, especially since this would be a change in use for this property.

Commissioner Deserio asked if two families are living in the building currently. It was stated that just one family is living there currently. He then asked what the purpose was of wanting to convert this into a two-family unit. Attorney Stefanczuk commented that it is strictly for investment purposes, and they will keep this property regardless.

Interim Planner Rigoni commented that the city does require a nonconforming use to be brought to conformance.

Chairman Thomas asked if anyone in the audience would like to approach the podium and make a comment regarding this case. No one approached the podium.

Chairman Thomas asked for a motion to close the public hearing on case number RZ-24-1-7-1.

(#3) Motion by Commissioner Carroll seconded by Commissioner Deserio, to close the public hearing on case number RZ-24-1-7-1.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

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

Chairman Thomas commented that the Plan Commission is to uphold the zoning ordinance and to review them when someone wants to make a change and this property is a concern from this standpoint.

Chairman Thomas asked for a motion to DENY the request for case number RZ-24-1-7-1, for Marian Patkowski for the approval of the rezoning of the property located at 1817 North Broadway Street, Crest Hill, Illinois from R-1 Single Family Residence District to R-2 Two Family Residence District.

(#4) Motion by Commissioner Carroll seconded by Commissioner Stanton, to DENY the request for case number RZ-24-1-7-1, for Marian Patkowski for the approval of the rezoning of the property located at 1817 North Broadway Street, Crest Hill, Illinois from R-1 Single Family Residence District to R-2 Two Family Residence District.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

There being four (4) 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 on Monday, July 22, 2024, at the earliest.

OTHER BUSINESS: Chairman Thomas explained that we are needing to update our Plan Commission Bylaws. He then explained the proposed changes, such as the meeting day and location. He also explained that the Plan Commission Secretary is more of an overseer position than an active position and the executive secretary position is now a staff member of the city and responsible for all secretary duties. Chairman Thomas also commented that there is more discussion to be had regarding the executive secretary before the next meeting on August 8, 2024.

The procedure in amending the Bylaws has also been simplified to no longer require three signatures to even discuss the change.

Chairman Thomas commented that the City Council approved an Ordinance where a Council Member or a Commissioner can attend a meeting via zoom if you have a present quorum but there are specific reasons to allow you to attend via zoom. Another wards, you would have to have four members present physically. He also commented that there is a clause that a commissioner cannot be absent for more than three consecutive meetings.

Chairman Thomas asked for an informal vote to approve the amended Plan Commission Bylaws.

AYES: Commissioners Deserio, Carroll, Stanton, Thomas.

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

Chairman Thomas commented that the Bylaws amendments do not need to go to the City Council. Attorney Alex Boyd commented that from his understanding the Bylaws are of the Plan Commission Board and that is what governs the Board, and no changes of the Bylaws need approved by the City Council.

Chairman Thomas commented that they will officially approve the Bylaws at the next meeting.

Chairman Thomas informed the Commission that there was a need to do the re-organization of the Plan Commission.

Commissioner Carroll recommended to reappoint Bill Thomas as the Chairman of the Plan Commission.

(#5) Motion by Commissioner Carroll seconded by Commissioner Deserio, to reappoint Bill Thomas as the Chairman of the Plan Commission.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

Chairman Thomas recommended to reappoint Ken Carroll as Vice-Chairman of the Plan Commission.

(#6) Motion by Chairman Thomas seconded by Commissioner Stanton, to reappoint Ken Carroll as Vice Chairman of the Plan Commission.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

Chairman Thomas recommended to reappoint Angelo Deserio as Secretary of the Plan Commission.

(#7) Motion by Chairman Thomas seconded by Commissioner Stanton, to reappoint Angelo Deserio as Secretary of the Plan Commission.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

Chairman Thomas commented that the City Council was upset that we had to delay the Plan Commission Meetings two separate times which affected the two cases on the agenda. He also

commented that we as Commissioners cannot let that happen again since they know the meeting dates every single month in advance.

Commissioner Deserio commented that they are down a Commissioner on the Plan Commission which did not help the quorum and another Commissioner had Covid and to not risk getting anyone else sick chose not to come. He also commented that hopefully we can get another Commissioner soon enough.

Chairman Thomas commented that he appreciates every one of the commissioners.

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 Deserio, seconded by Commissioner Carroll, to adjourn the July 11, 2024, Plan Commission meeting.

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioners Peterson, Slabozeski.

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

The meeting was adjourned at 7:42p.m.

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

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

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

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



**To:** Plan Commission

**From:** Ron Mentzer, Interim Community and Economic Development Director  
Zoe Gates, Administrative Clerk

**Date:** August 8, 2024

**Re:** Raphael Prado Rezoning and Setback Variations for Vacant Property at Northwest Corner of Caton Farm Road and Plum Street

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### ***Project Details***

Applicant:	Raphael Prado
Request	Rezoning and Front Yard Setback Variation
Location	NW Corner of Caton Farm Road and Plum Street

### ***Site Details***

Lot Size:	0.39 acres
Existing Zoning	R-3 Unincorporated Will County

### ***Land Use Summary***

Parcel	Land Use	Comp Plan	Zoning
Subject Property	Residential – Single Family	Single-Family	Uninc. R3
North	Residential – Single Family	Single Family	Uninc. R3
South	General Business	Local Commercial	B2
East	Empty Lot	Local Commercial	B2
West	Residential – Single Family	Single-Family	Uninc. R3

## **Attachments**

- Application for Development – Appendix C dated 7/12/2024
- Applicant Annexation Letter to Mayor and City Council dated 5/9/2024
- Plat of Survey sealed on 8/10/2023
- Lot Coverage Site Plan - undated
- Site Plan – undated
- Floor plan – undated
- Geotech Inc. Engineering Site Plan – dated 7/31/2024
- East and South Building Elevations – undated
- Exhibit A – Existing Caton Farm Road Setback Aerial Photo Exhibit

## **Project Summary and Background**

**Rezoning:** The owner of the vacant 16,874 sq. ft. unincorporated property located at the northwest corner of the intersection of Plum Street and Caton Farm Road (the “Subject Property”) has applied to have the property annexed into the City of Crest Hill so the new home he intends to construct on the property for his family can be connected to City of Crest Hill sanitary sewer and water mains. According to Illinois State Statutes, when a municipality annexes property, the municipality’s most restrictive zoning classification is automatically applied to the property. In Crest Hill, this would be the City’s R-1A Single Family zoning district. Since the Subject Property is smaller than the 20,000 sq. ft. minimum lot size required in the R-1A zoning district, the lot would non-conforming and unbuildable if zoned R-1A. As a result, the property owner is requesting the property be rezoned to R-1B upon annexation into the City of Crest Hill.

**Front-Yard Setback Variation:** The property owner is also requesting approval of a setback variation that would reduce the minimum required front-yard building setback in the R-1B zoning district along the Caton Farm Road frontage of the Subject Property from 30-feet to 20-feet so he can construct the new home reflected in the attached design documents on the site.

### **City Council Workshop Review:**

The City Council discussed the potential annexation of the Subject Property into the City of Crest Hill, rezoning it into the City’s R-1B zoning District, and the property owner’s potential front-yard building setback variation request at the May 13, 2024 Workshop Meeting. The City Council was receptive to these requests and encouraged the property owner to formally apply for them.

## **Analysis**

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

- The requested rezoning would be consistent with the City's Comprehensive Land Use Plan designation.
- City sewer and water utilities are located along the east edge of the property.
- The properties located immediately adjacent to the east and south are already incorporated into the City of Crest Hill.
- The requested R-1B zoning is the City's most restrictive residential zoning classification the Subject Property would satisfy the minimum lot size requirements of.
- The Subject Property is located within the Sunnyland Subdivision. When the Sunnyland Subdivision was originally approved by Will County, the minimum required front-yard building line along Caton Farm Road was 20 feet. This is reflected on the attached survey.
- As illustrated on aerial photo Exhibit A, other existing homes along the north side of the adjacent section of Caton Farm Road to the west of the Subject Property have been constructed with front-yard setbacks consistent with the historical 20' front yard building line recorded against this property and the variation requested by the property owner.
- All other aspects of the property owners proposed development plan for the Subject Property comply with applicable City Zoning Requirements and Regulations.
- Section 12.8-5 of the Zoning Ordinance states that when the Plan Commission forwards a recommendation to approve or deny a **rezoning request** to the City Council, the Plan Commission shall make findings of fact and those findings of fact *shall consider the following*:
  1. *Whether the uses permitted by the proposed amendment would be appropriate in the area concerned.*
  2. *Whether adequate public school facilities and other public services exist or can be created to serve the needs of any additional dwelling units likely to be constructed as a result of such change.*
  3. *Whether the proposed change is in accord with any existing or proposed plans for providing public water supply and sanitary sewers in the vicinity.*
  4. *Whether the proposed amendment is likely to result in an increase or decrease in the total zoned residential capacity of the City and the probable effect of such change on the cost of providing public services.*
  5. *The amount of vacant land which is currently zoned for similar development in the City or in contiguous areas, and particularly in the vicinity of the area included in the proposed amendment, and any special circumstances which may make part of such vacant land unavailable for development.*
  6. *The recent rate at which land is being developed in the proposed district of the City, and particularly in the vicinity of the area included in the proposed amendment.*
  7. *The effect of the proposed amendment upon the growth of existing neighborhoods as envisioned by the Crest Hill Comprehensive Plan.*

8. *Whether other areas designated for similar development are likely to be so developed if the proposed amendment is adopted, and whether the designation for such future development should be withdrawn from such areas by further amendment of this Ordinance.*
  9. *If the proposed amendment involves a change from a residential to a non-residential designation, whether more non-residential land is needed in the proposed location to provide commercial services or employment for the residents of the City.*
  10. *Existing uses and zoning within the general area of the property in question.*
  11. *The extent to which property values are diminished by particular zoning restrictions.*
  12. *The extent to which the restriction of property values of the petitioner promotes the health, safety, morals, or general welfare of the public.*
  13. *Whether the proposed amendment is the minimum adjustment necessary to allow the reasonable use of the property.*
- 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.*

*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.*

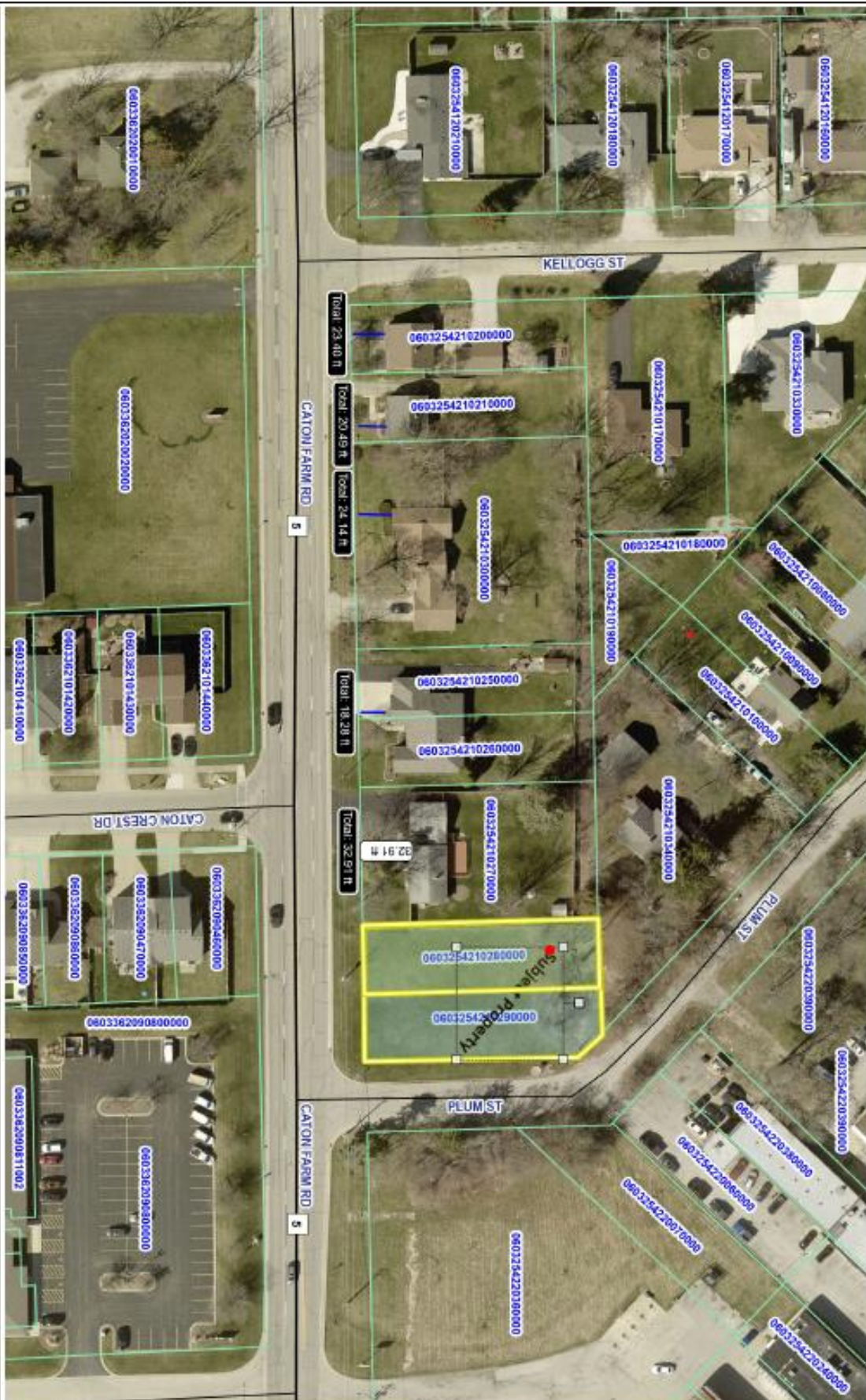
8. *That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variation; there must be a deprivation of beneficial use of land.*

*In addition, the City Council, upon the recommendations of the Plan Commission, may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.*

Please contact Ron Mentzer at 815-741-5107 or [rmentzer@cityofcresthill.com](mailto:rmentzer@cityofcresthill.com) with any questions or concerns.



**EXHIBIT A - Existing Caton Farm Road Setbacks**



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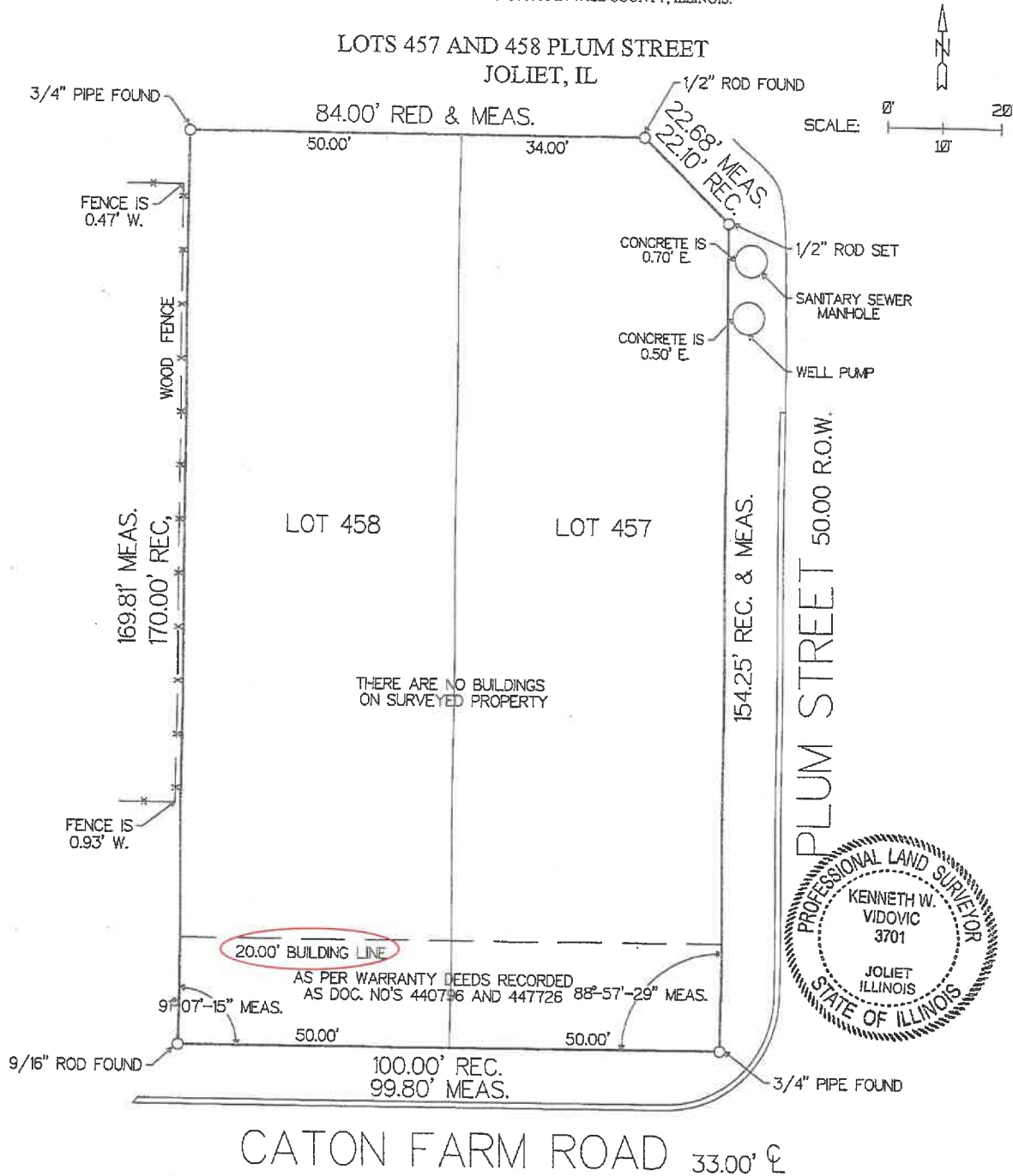
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# PLAT OF SURVEY

LOT 437 AND 458, IN SUNNYLAND, A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, AS PER PLAT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID WILL COUNTY IN PLAT BOOK 21, PAGE 5 AS DOCUMENT NO. 378700 IN WILL COUNTY, ILLINOIS.



## COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207  
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax

EMAIL: kvccommunitysurvey@att.net

DESIGN FIRM NO. 184-002899

CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.

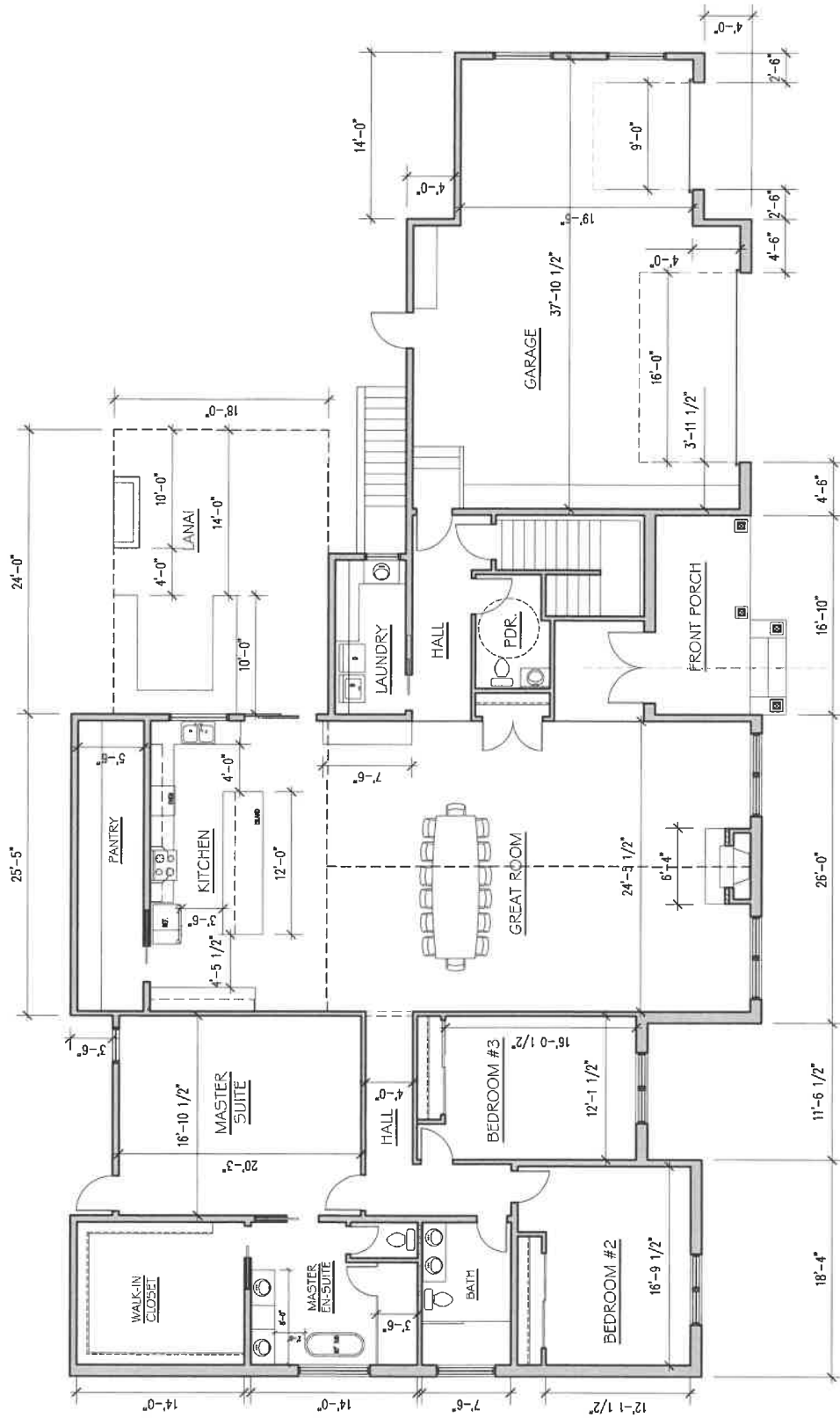
WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE HAVE SURVEYED FOR LUCAS LAW UNDER MY HAND AND SEAL THIS 11TH DAY OF AUGUST 2023. FIELD WORK 08/10/2023. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

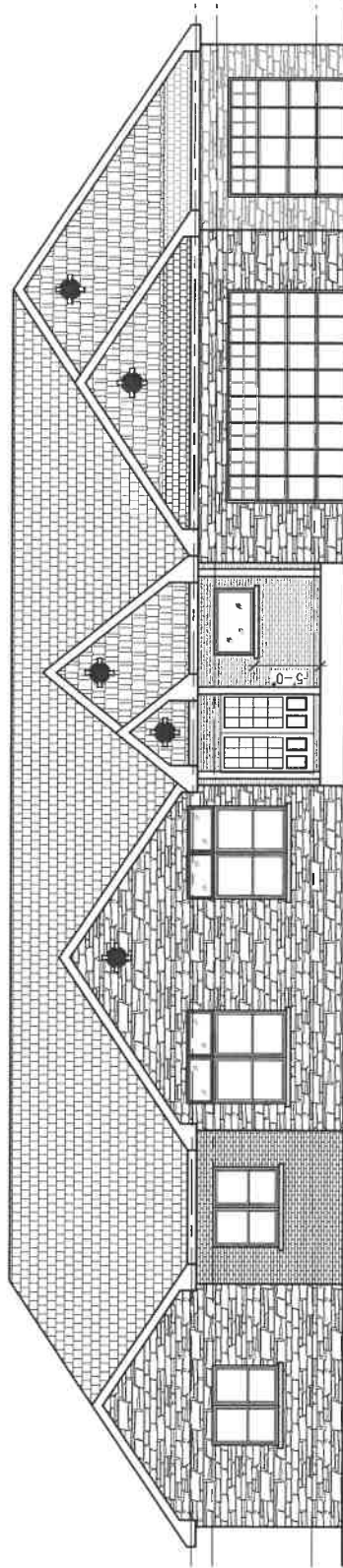
SURVEY NUMBER 23-29969



ILLINOIS LAND SURVEYOR NO. 3701  
EXPIRES 11/30/2024

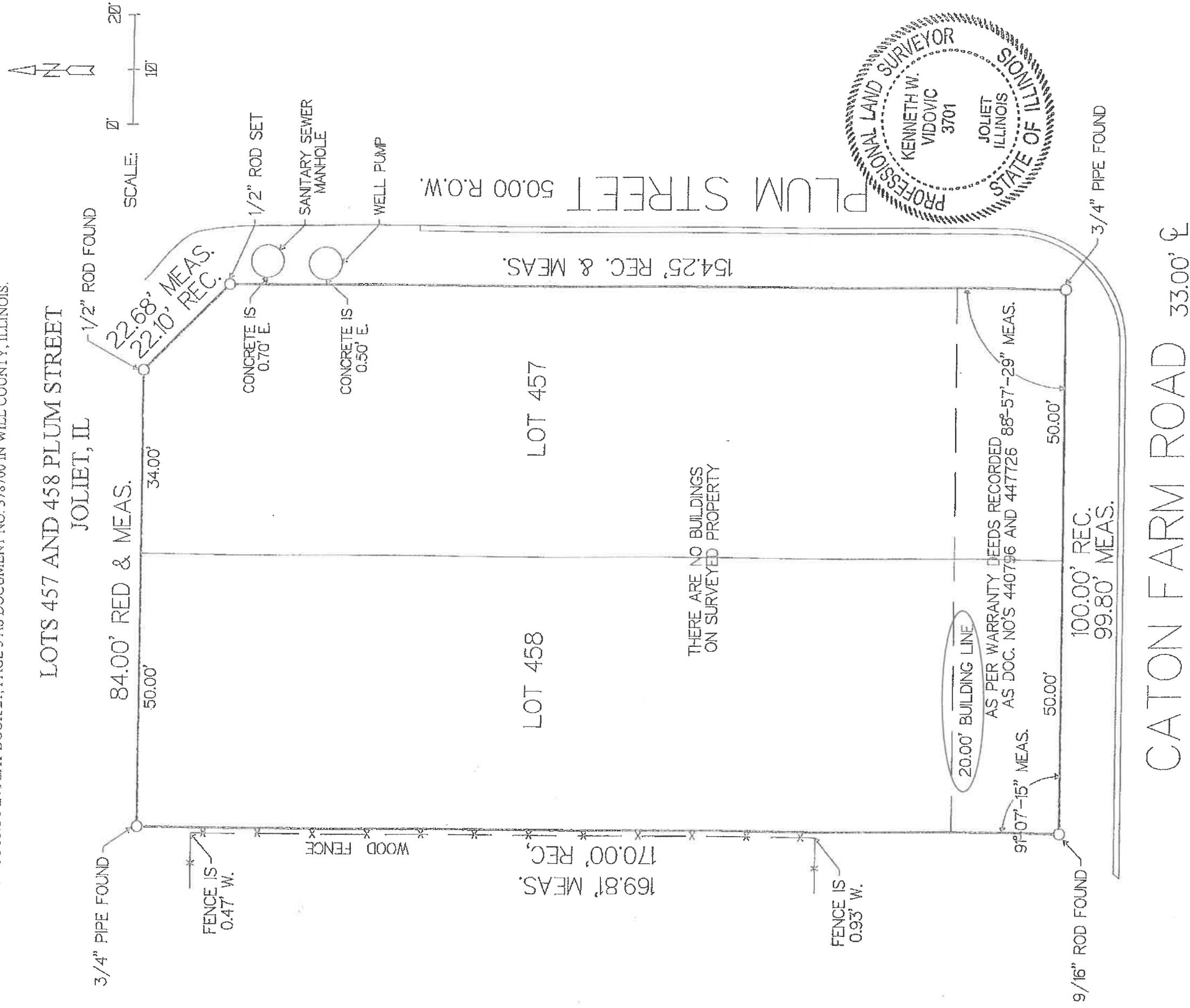






# PLAT OF SURVEY

LOT 457 AND 458, IN SUNNYLAND, A SUBDIVISION OF THE EAST HALF OF THE EAST HALF OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS, AS PER PLAT RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID WILL COUNTY IN PLAT BOOK 21, PAGE 5 AS DOCUMENT NO. 378700 IN WILL COUNTY, ILLINOIS.



COMMUNITY SURVEY INC.

81 N. CHICAGO STREET, SUITE 207  
JOLIET, IL 60432

(815) 722-9005 (815) 722-9019 - fax

EMAIL: [kvcommunitysurvey@att.net](mailto:kvcommunitysurvey@att.net)

DESIGN FIRM NO. 184-002899

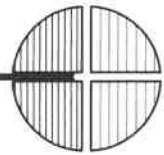
CHECK DEED OR GUARANTEE POLICY FOR BUILDING LINE OR EASEMENT RESTRICTIONS NOT SHOWN ON PLAT OF SURVEY. COMPARE POINTS BEFORE BUILDING.

WE, COMMUNITY SURVEY INC., DO HEREBY CERTIFY THAT WE  
HAVE SURVEYED FOR LUCAS LAW UNDER MY HAND AND SEAL  
THIS 11TH DAY OF AUGUST 2023.  
FIELD WORK 08/10/2023.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

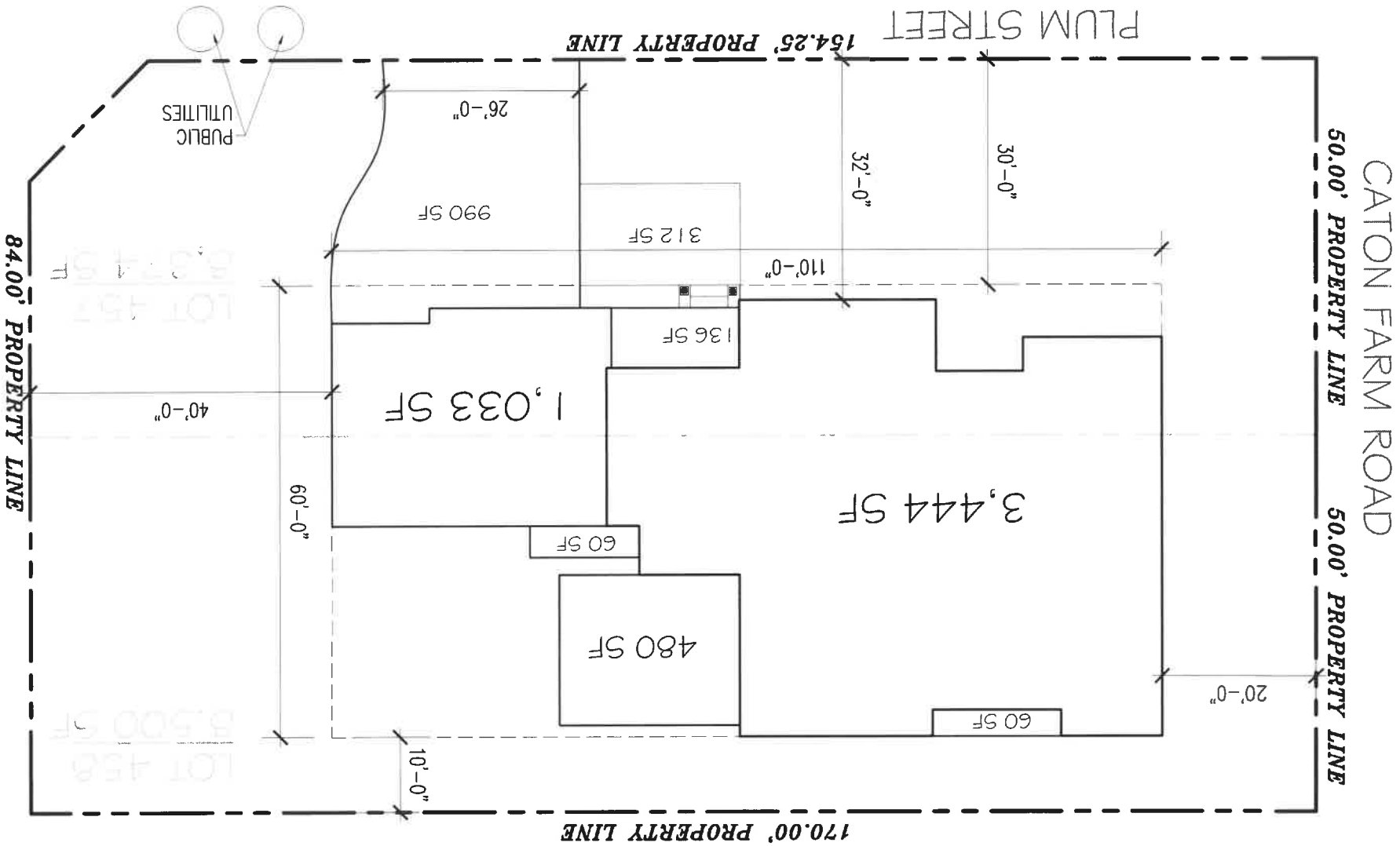
SURVEY NUMBER 23-29969

ILLINOIS LAND SURVEYOR NO. 3701  
EXPIRES 11/30/2024

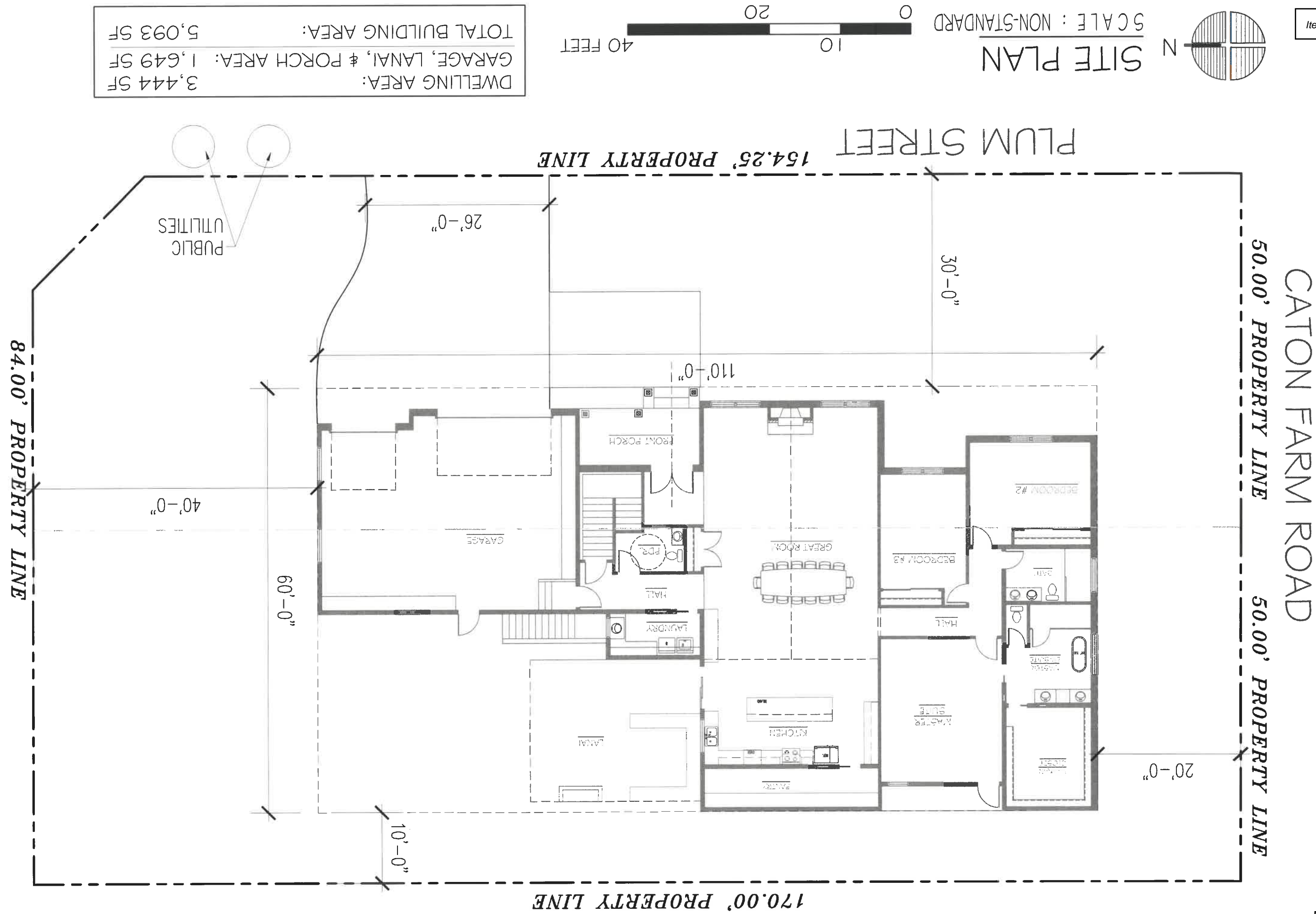


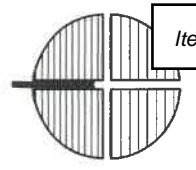
LOT COVERAGE SITE PLAN

SCALE : 1" = 20'-0"



LOT COVERAGE	
DWELLING BUILDING FOOTPRINT	3,444 SF
ATTACHED GARAGE	1,033 SF
PORCH AND LANAI	616 SF
WALKWAYS & PATIOS	432 SF
DRIVEWAY	990 SF
PROPOSED LOT COVERAGE = 6,515 SF = 38.60%	
LOT AREA (BASED ON PLAT OF SURVEY) 16,874 SF	
MAX. LOT COVERAGE = 50% x 8,359 = 8,437 SF	

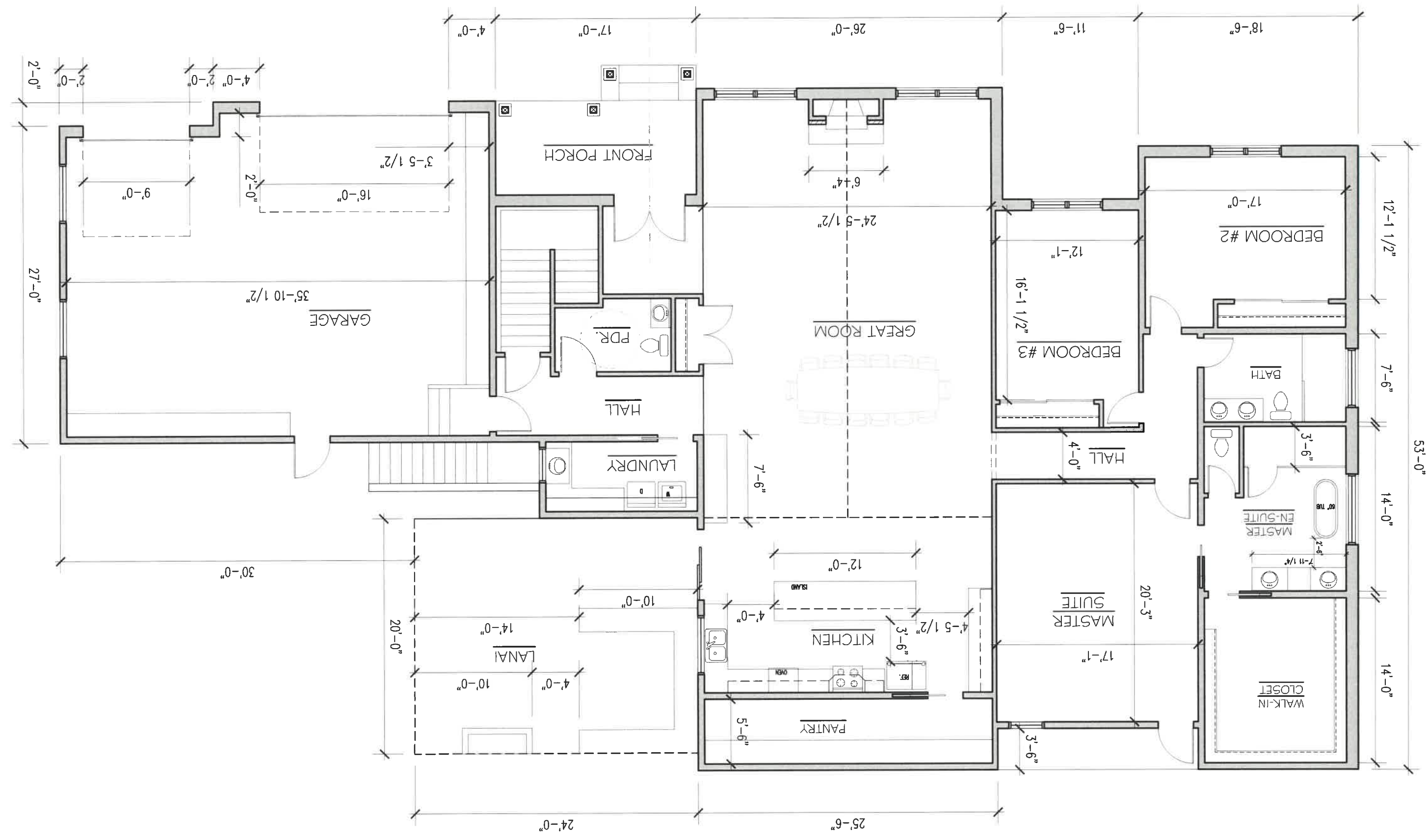




FLOOR PLAN  
SCALE : 1/8" = 1'-0"



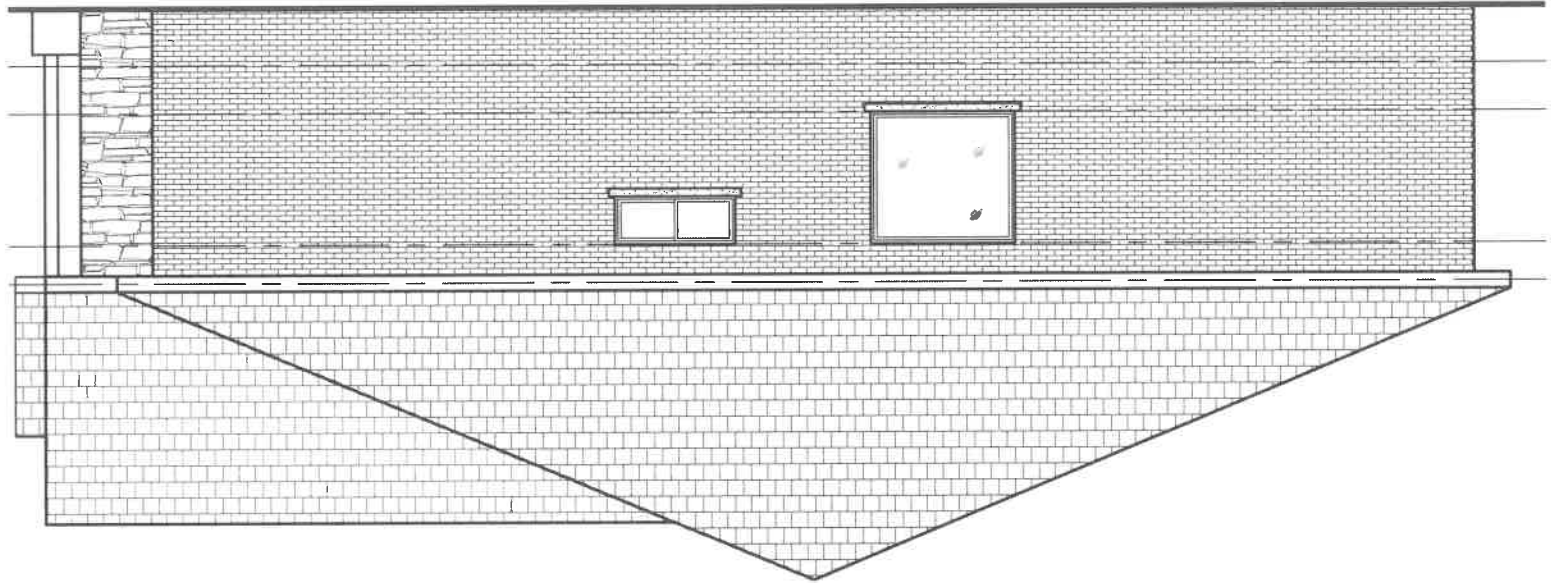
DWELLING AREA: 3,444 SF  
GARAGE, LANAI, & PORCH AREA: 1,649 SF  
TOTAL BUILDING AREA: 5,093 SF



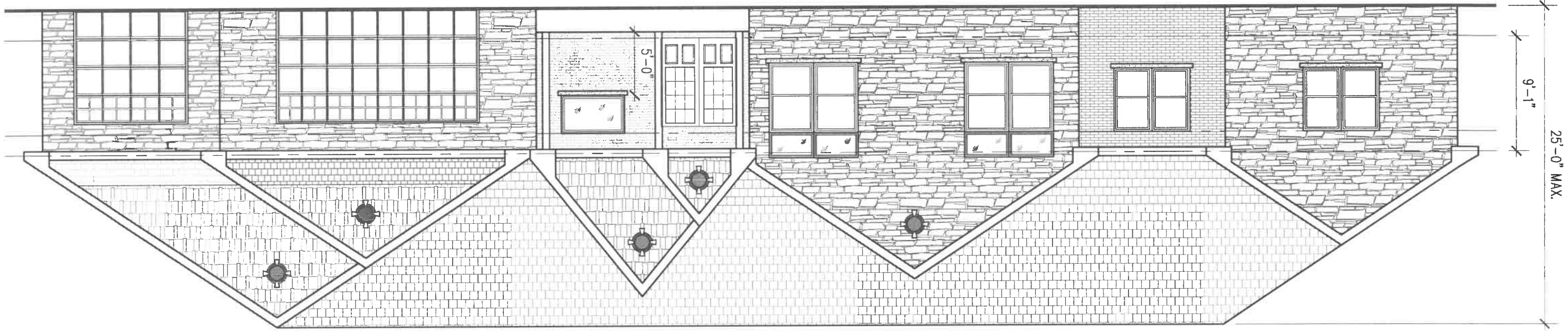
ELEVATIONS  
SCALE : 1/8" = 1'-0"



SOUTH ELEVATION (LEFT SIDE FAÇADE)  
(FACING CATON FARM ROAD)



EAST ELEVATION (FRONT FAÇADE)  
(FACING PLUM STREET)



SEAL/STAMP

[illegible]

**RAPHAEL PRADO  
LOT 457 & 458 SUNNYLAND SUBDIVISION  
CATON FARM RD & PLUM STREET**

SITE PLAN

**GEOTECH INC.**  
CONSULTING ENGINEERS - LAND SURVEYORS

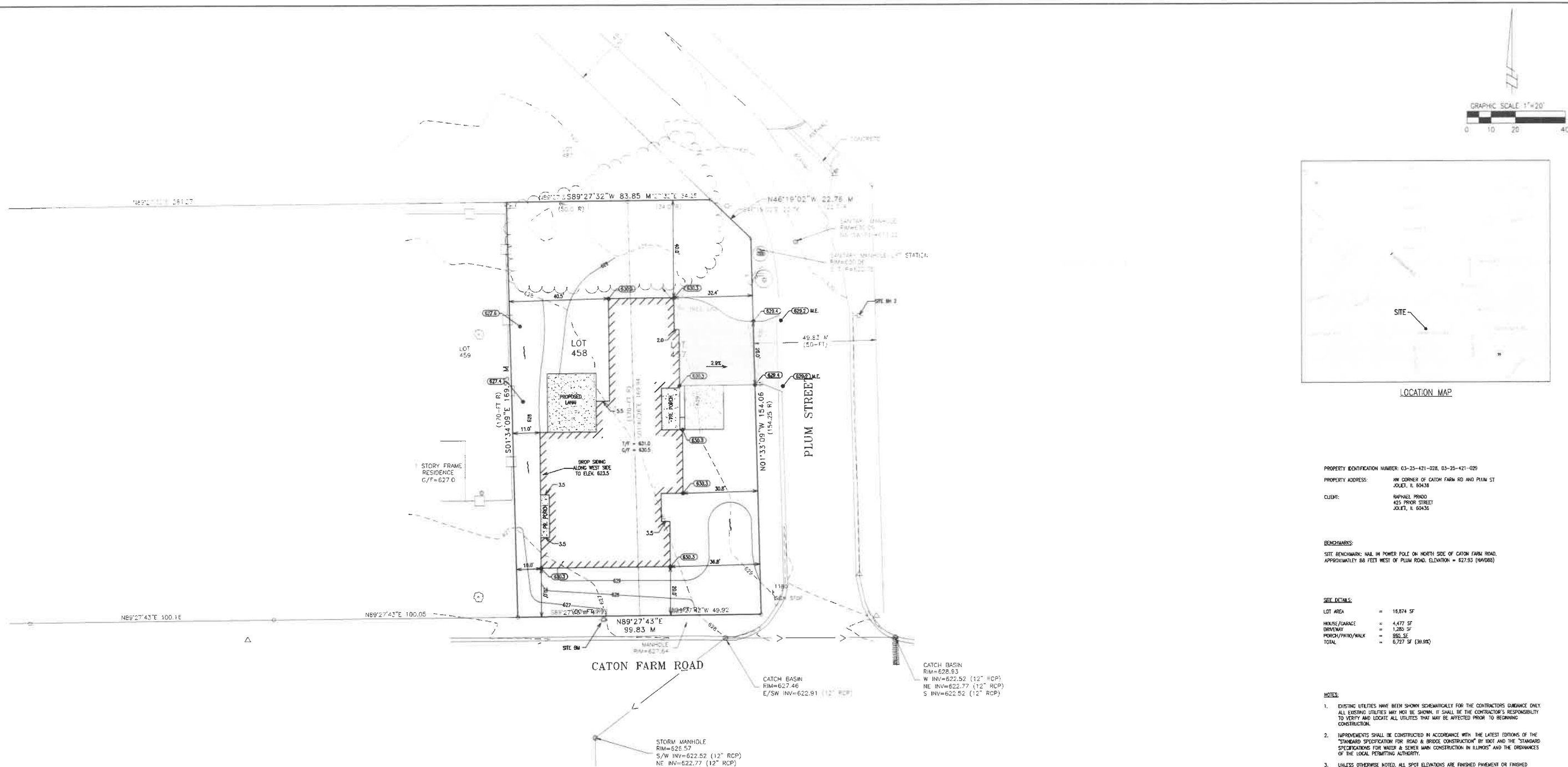
1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730-1010

PROJECT NO. 21633  
DATE: 4.4.2024  
DRAWN BY: TC  
CHECKED BY: CP

SHEET NO.



24



NOTES:

1. EXISTING UTILITIES HAVE BEEN SHOWN SCHEMATICALLY FOR THE CONTRACTOR'S GUIDANCE ONLY. ALL EXISTING UTILITIES MAY NOT BE SHOWN. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY AND LOCATE ALL UTILITIES THAT MAY BE AFFECTED PRIOR TO BEGINNING CONSTRUCTION.
2. IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE "STANDARD SPECIFICATION FOR ROAD & BRIDGE CONSTRUCTION" BY THE IOWA AND THE "STANDARD SPECIFICATIONS FOR WATER & SEWER MAIN CONSTRUCTION IN ILLINOIS" AND THE DRINKING WATER DESIGN MANUALS PUBLISHED BY THE IOWA DEPARTMENT OF TRANSPORTATION.
3. UNLESS OTHERWISE NOTED, ALL SPOT ELEVATIONS ARE FINISHED PAVEMENT OR FINISHED LANDSCAPE ELEVATIONS.
4. ALL PROPOSED GRASSES SHALL MATCH EXISTING GRASSES AT THE PROPERTY LINE, EXISTING EDGE OF PAVEMENT, AND EXISTING CURB.
5. FINISHED LANDSCAPE ELEVATIONS ADJACENT TO HOUSE SHALL BE 6-INCHES BELOW THE TOP OF FOUNDATION ELEVATION.
6. FOUNDATION SHOWN FOR RETENTION, REFER TO ARCHITECTURAL PLANS FOR PROPOSED BUILDING DETAILS AND FINISHES.
7. SEWAGE FULL DEPTH SAW CUT FOR ALL CURB, PAVEMENT, OR SIDEWALK TO BE REMOVED.
8. SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES. THE SEDIMENT AND EROSION CONTROL MEASURES SHALL BE PROPERLY MAINTAINED THROUGHOUT THE PROJECT AND SHALL REMAIN IN PLACE UNTIL THE PROJECT IS COMPLETE. ONLY ESTABLISHED AND/OR PERMANENT EROSION CONTROL MEASURES HAVE BEEN INSTALLED. ANY SEDIMENT AND EROSION CONTROL MEASURES THAT ARE REMOVED, AS A RESULT OF ANY CONSTRUCTION ACTIVITIES, MUST BE PROPERLY REINSTALLED PRIOR TO THE END OF EACH DAY.

## DRAINAGE &amp; ENGINEER CERTIFICATE

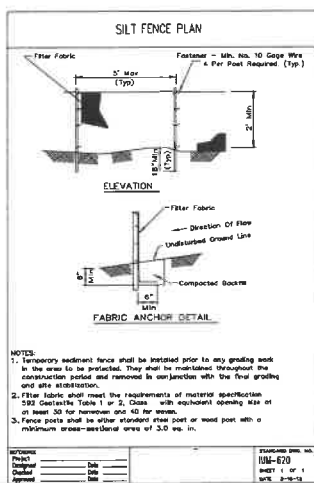
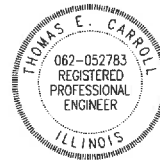
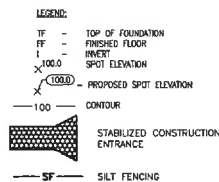
I, THOMAS CARROLL, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY AFFIRM THAT THESE DOCUMENTS HAVE BEEN PREPARED BY OR UNDER MY DIRECT SUPERVISION AND CONTROL AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THESE DOCUMENTS HAVE BEEN PREPARED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING STANDARDS AND PRACTICES AND COMPLY WITH APPLICABLE LAWS, CODES AND ORDINANCES.

FURTHERMORE, TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THESE IMPROVEMENTS OR ANY PART THEREOF, OR; THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DISCHARGE OF SURFACE WATERS INTO PUBLIC OR PRIVATE AREAS AND/OR DRAINS WHICH THE DEVELOPER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE IMPROVEMENTS.

DATED THIS 31ST DAY OF JULY, 2024

Thine and

THOMAS CARROLL, P.E.  
ILLINOIS P.E. #062.052783  
LICENSE EXPIRES 11.30.2025  
GEOTECH INCORPORATED PROFESSIONAL  
DESIGN FIRM NUMBER 184-000165



## WARNING



CALL BEFORE  
YOU DIG



**To:** Plan Commission

**From:** Ron Mentzer, Interim Community and Economic Development Director  
Zoe Gates, Administrative Clerk

**Date:** August 8, 2024

**Re:** Scott McFedries Variances for 1940 Sybil Drive

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***Project Details***

Project	Scott McFedries
Request	Multiple Variances
Location	1940 Sybil Drive

***Site Details***

Lot Size:	0.201 acres
Existing Zoning	R-1

***Land Use Summary***

Subject Parcel	Land Use	Comp Plan	Zoning
Subject Parcel	Single Family Residential	Single Family Residential	R1
North	Single Family Residential	Single Family Residential	R1
South	Single Family Residential	Single Family Residential	R1
East	Single Family Residential	Single Family Residential	R1
West	Single Family Residential	Single Family Residential	R1

## ***Attachments***

- Exhibit A – 1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (8 1 2024)
- Application for Development for 1940 Sybil Dr.
- Plat of Survey of 1940 Sybil Dr.
- Letter from the Applicant dated 06/30/24
- Seven photographs of the existing property from the Applicant
- Letter from Carlos Torres dated 07/02/24

## ***Project Summary***

Property owner Scott McFedries (the “Applicant”) is seeking approval of numerous setback and lot coverage variances to sections 8.3-5, 8.3-6 a., 8.3-9.2 b., and 6.6-1 B of the Zoning Ordinance for a variety of accessory structures he has constructed on his property at 1940 Sybil Dr. without City permits. The requested variations are enumerated in the document labeled “1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (8 1 2024)” and attached to this Staff Report as Exhibit A.

## ***Analysis***

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

1. The Applicant acknowledges that all accessory structure construction work associated with the current variation requests was performed without permits and the recent replacement of the pool and surrounding patio was also begun without a permit.
2. As part of his variation application package, the Applicant submitted the letter with a hand written date of June 30, 2024, to (i) explain his variation requests and (ii) outline his desire to reinstall his brick paver patio around his new pool but willingness to eliminate it if required to significantly reduce the degree of lot coverage variation required. Exhibit A documents the Applicant’s requested lot coverage variation with and without this patio.
3. City Engineer Wiedeman and Building Commissioner Seeman have inspected the property and determined that the various accessory structure encroachments on the public utility and drainage easement along the east (rear) property line are not currently affecting water drainage and the underground electrical lines as marked by JULIE are at least 5’ from the edge of the pool as is required by ordinance.
4. While the city does **not** have the authority to approve an accessory structure encroachment onto another property, the property owner to the north has given written permission for the applicant’s existing decks to encroach onto his property (see 7.2.2024 letter from Carlos Torres included in the supporting application documents for this case).

5. There are some similarities between this variation application and the zoning variations the Plan Commission recommended approval of on March 14, 2024, and the City Council approved in April 2024 with Ordinance 1977. The variations approved under Ordinance 1977 allowed a very large shed the owner of 2001 Noonan constructed without a permit in a utility and drainage easement and within the required rear and side yard setbacks to remain in the original illegal location it was constructed at. The City's approval of variation Ordinance 1977 was conditioned on:
  - a. "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 his own risk."
  - b. "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 structure may be impacted and may be required to be moved. Any and all restoration costs of work done in the easement area shall be solely the responsibility of the Owner and not the responsibility of the City or the utility company".

**Staff recommends any PC recommendation to approve variations that would allow accessory structures to remain or be reinstalled in the utility easement include similar conditions along with a condition that requires the Applicant to obtain building permits for all accessory structures that will be allowed to remain on the property.**

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.

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.
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 justify a variation; there must be a deprivation of beneficial use of land.

In addition, the City Council, upon the recommendations of the Plan Commission, may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this Section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Ordinance.

Please contact Ron Mentzer at 815-741-5107 or [rmentzer@cityofcresthill.com](mailto:rmentzer@cityofcresthill.com) with any questions or concerns.

Please find attached our request for a variance for our home at 1940 Sybil Drive, Crest Hill.

We have always had pride in our yard and keeping our home maintained.

Our backyard is our sanctuary in the warmer weather and fall. We consistently spend time relaxing and enjoying the neighborhood. Since May, 1990, we have a good relationship with our neighbors, and we have never had a complaint from our neighbors regarding our pool, shed, deck or in general the use of our yard.

We would like to petition for the following to keep our yard maintained:

- 1) No changes to the decking- see picture A
- 2) No change to the pool location – note there is no issue with electric or the pool blocking any drainage per the site survey- see pictures B and C
- 3) No change to the shed location- the shed is well maintained and there are no issues with its construction- see picture D

The original footprint of the yard had pavers where you see gravel today. We now understand there is a regulation to have 50% greenery in our yard. We would like to keep the pavers that are around the flowering bushes, see picture D and the pavers that transition from higher ground to lower ground- see picture E. In addition, we will need to build a step off the end of the deck that is not in place currently.

We have included pictures of the pavers we have removed and would like to keep- see picture F and G. However, if needed we will replace these pavers with grass to meet the regulation.

If any of the items are a hinderance to getting this variance approved, we are open to discussion to come to a conclusion that will be agreeable to all.

Scott & Ellen McFedries

6/30/24

## 1940 Sybil Drive Accessory Structure and Lot Coverage Analysis (6.26.2024)

### 24' dia. Above ground Swimming Pool

Side Property Line Setback: 10' required (ZO Section 8.3-9.2.b) / **2.4'** provided  
 Rear Property Line Setback: 10' required (ZO Section 8.3-9.2.b) / **2.7'** provided  
 5' Public Utility Easement  
 along rear property line: No encroachment allowed (Z.O Section 8.3-5) / **2.3'** encroachment currently

### 10' x 13' Shed

Rear Property Line Setback: 10' required (ZO Section 8.3-6.a) / **3.2'** provided  
 5' Public Utility Easement  
 along rear property line: No encroachment allowed (Z.O Section 8.3-5) / **1.8'** encroachment currently

### Decks

Side Property Line Setback: 4' required (ZO Section 8.3-5) / **.7' over property line**

### Patio/Gravel

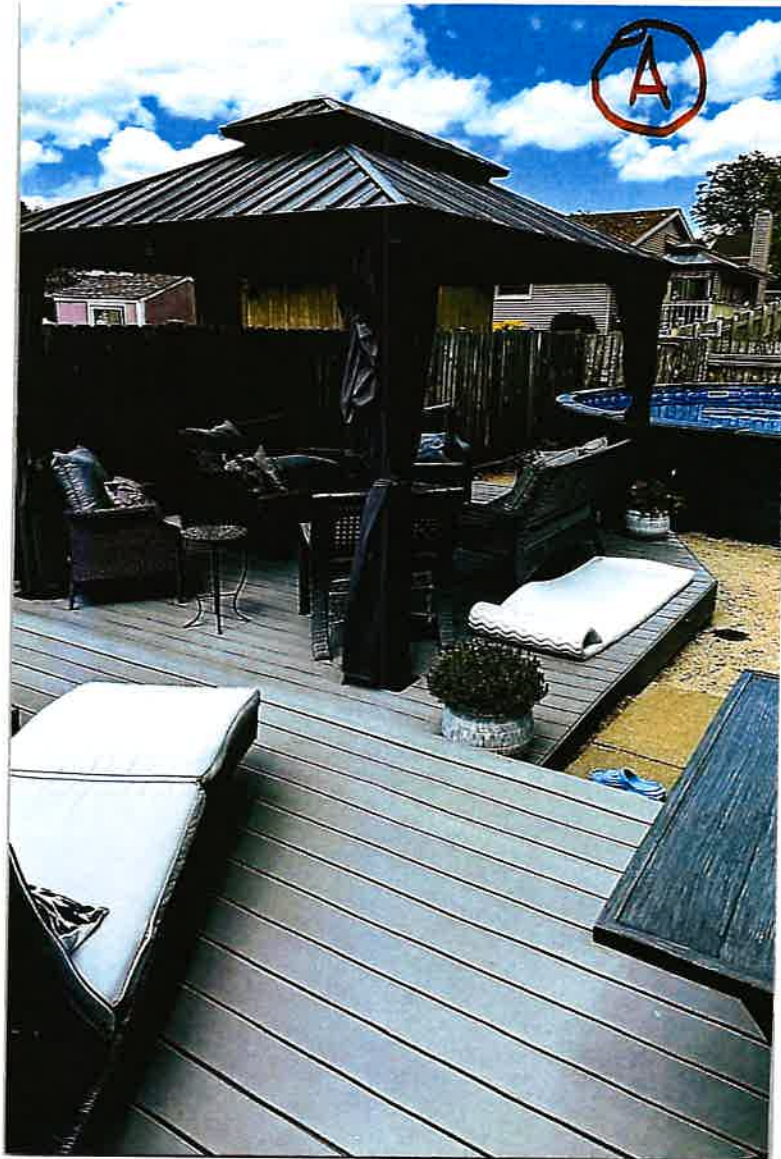
Side Property Line Setback: 4' required (ZO Section 8.3-5) / **0' setback provided**  
 Rear Property Line Setback: 10' required (ZO Section 8.3-5) / **0' setback provided**

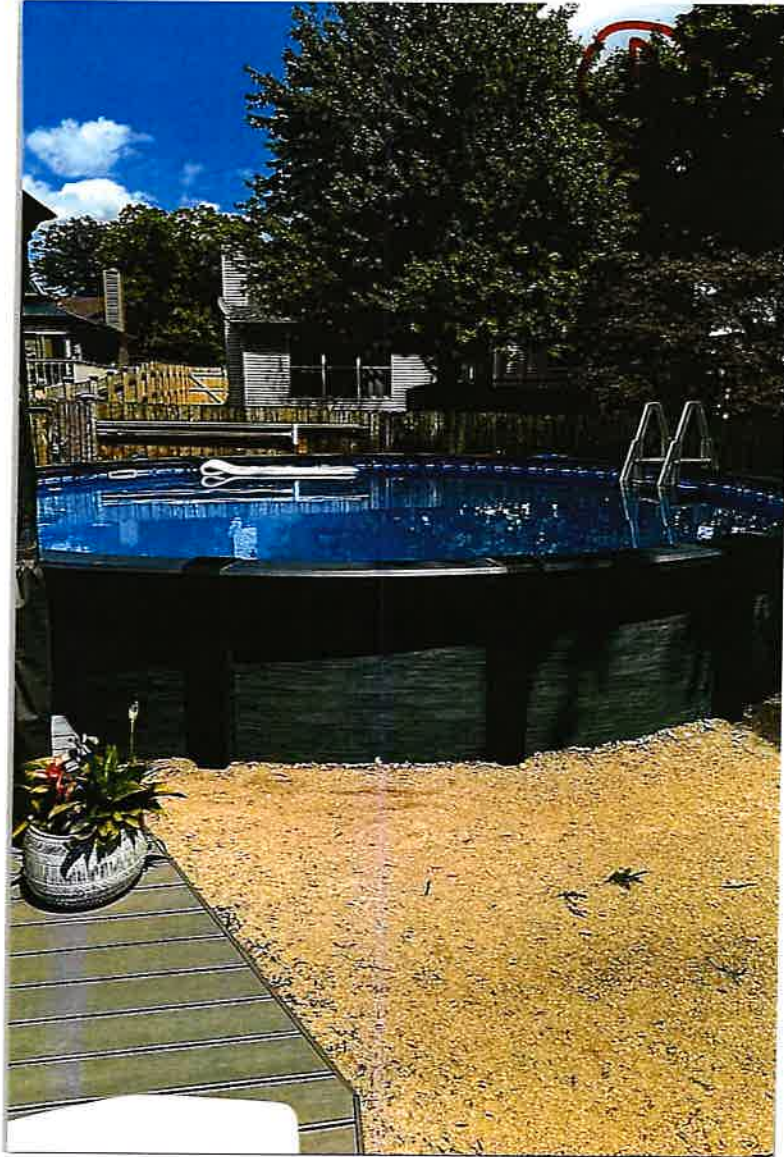
### Maximum Lot Coverage

50% Allowed per Table 1 of the Zoning Ordinance = 4,373 sq. ft.  
**58.1% Provided = 5,079.24 sq. ft. or 705.35 sq. ft. over**

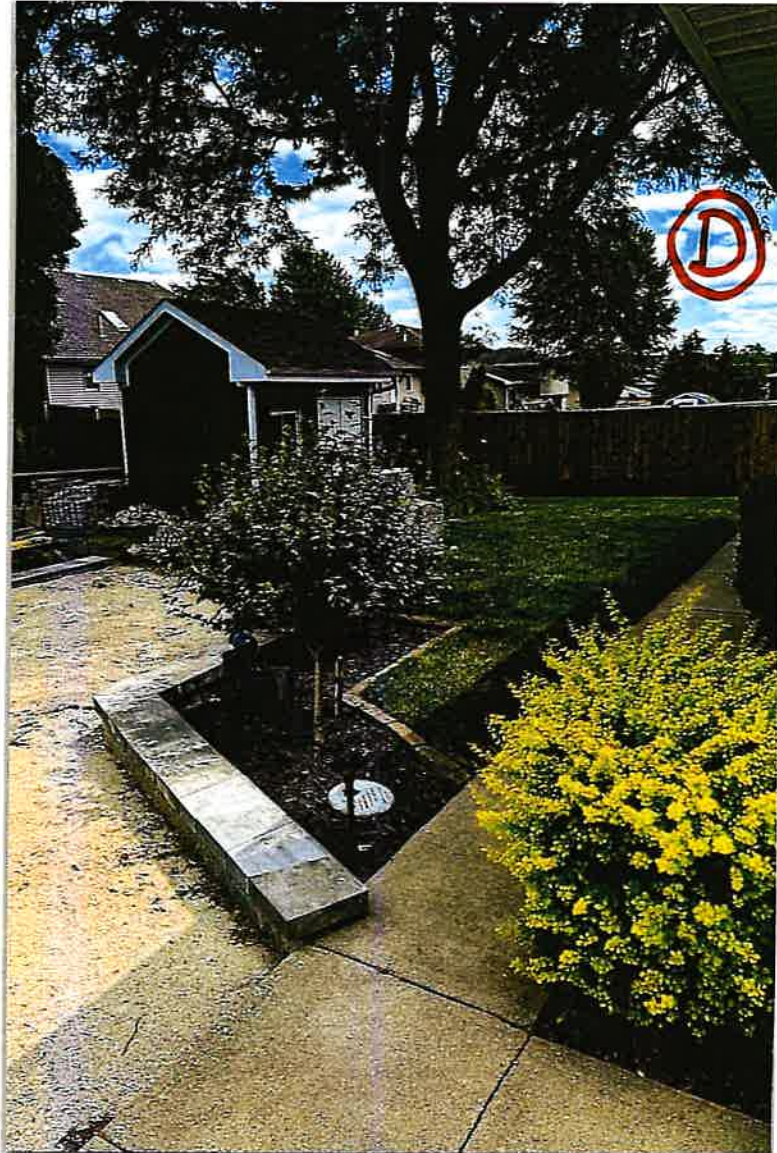
Will need to obtain building permits for all accessory structures that will remain or will be reconstructed  
 Will need to obtain authorization from property owner to the north for deck encroachment

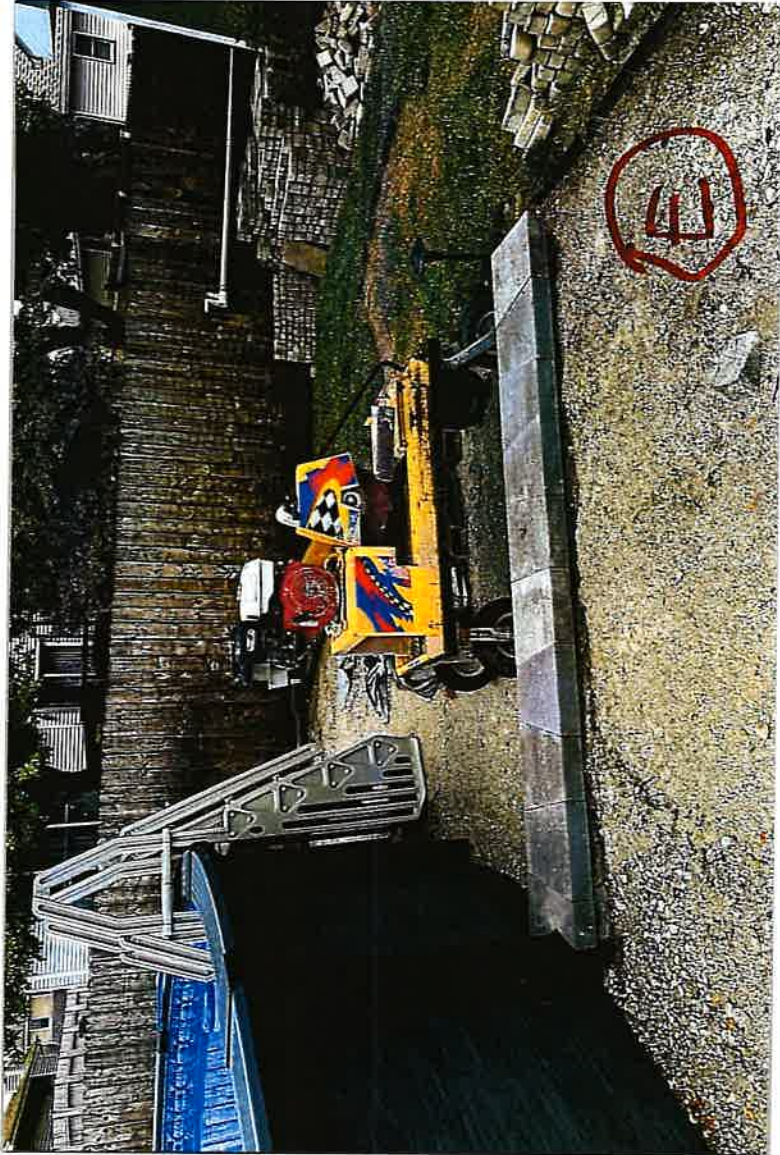


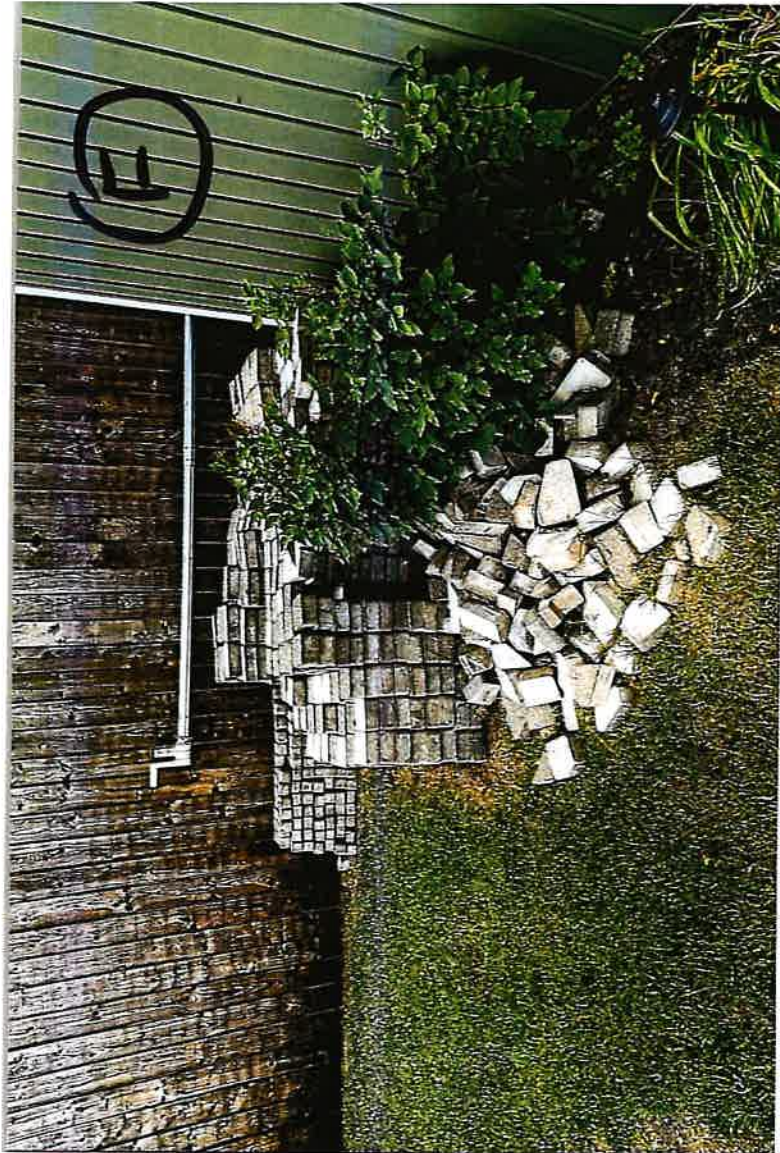


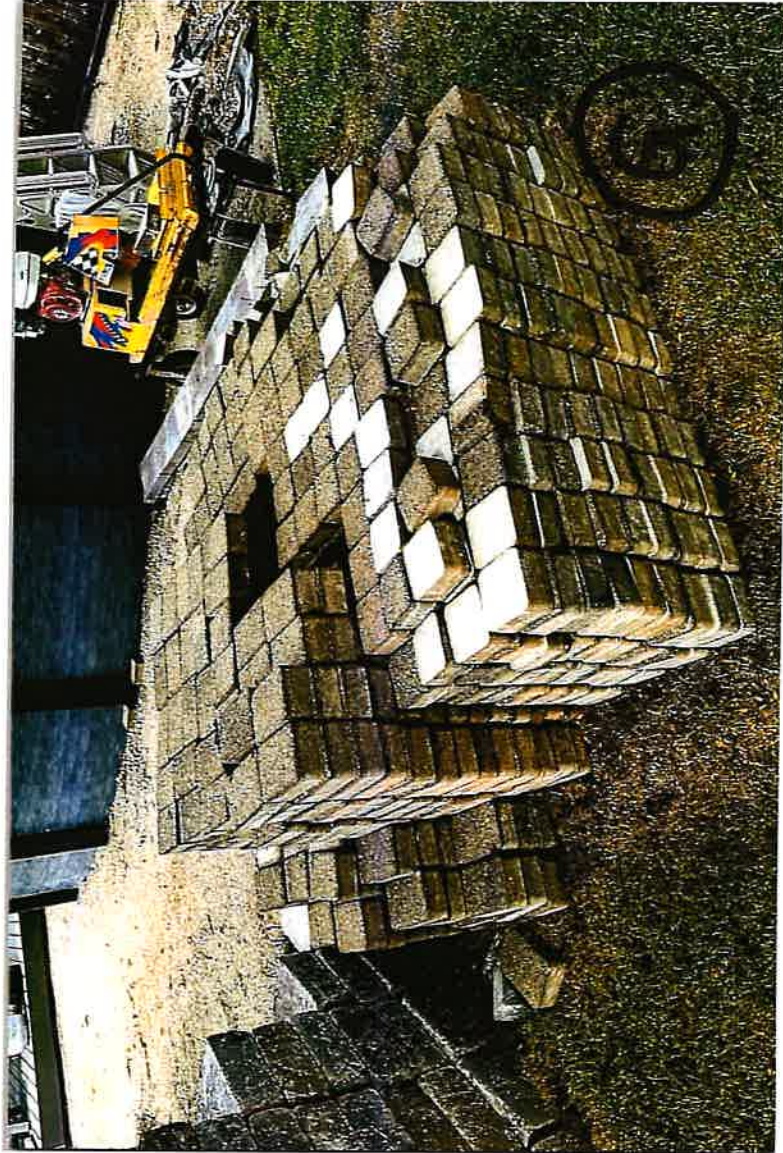












**BY-LAWS OF THE CREST HILL PLAN COMMISSION****I. PLAN COMMISSION**

The Plan Commission shall consist of seven (7) members appointed by the Mayor of the City and confirmed by the City Council. The term of office shall be three (3) years and may be renewed for another term by mutual consent of the Mayor and member, subject to confirmation by the City Council. Vacancies shall be filled in the same manner. Members may be removed by the Mayor for cause after written charges have been filed and after a public hearing has been held, if demanded by the member so charged.

**II. OFFICERS & REGULAR MEETINGS**

- A. Plan Commission Officers shall be elected annually at the Commission's May meeting. If the May Plan Commission meeting is canceled for lack of agenda items, then the annual election of Plan Commission Officers shall be conducted at the first meeting thereafter.
- B. The Plan Commission shall meet on the second (2<sup>nd</sup>) Thursday of each month in the City Council Chambers, 20600 City Center Boulevard, Crest Hill, Illinois 60403, unless otherwise specified by the presiding Officer.
- C. Adjourned annual meetings or adjourned monthly meetings of the Commission may be held at such time and place as may be fixed in the resolution of adjournment or notice of special meeting. If no other place is fixed in the resolution, the meeting shall be held in the City Council Chambers, 20600 City Center Boulevard, Crest Hill, Illinois 60403.
- D. All regular meetings shall be held at 7:00 p.m.

**III. SPECIAL MEETINGS**

- A. Special meetings of the Commission may be called by the Chairperson and held at any time or place fixed in the Notice and Agenda, which shall be published as required by the Illinois Open Meetings Act.
- B. The Chairperson shall call a special meeting of the Commission at the written request of any one (1) or more members of the Commission, and if the Chairperson shall fail to comply with such request, said members so requesting shall call such meeting and shall sign the notice.
- C. Adjourned special meetings of the Commission may be held at such time and place as may be fixed in the resolution of adjournment. If no other place is fixed in the resolution, the meeting shall be held in the City Council Chambers, 20600 City Center Boulevard, Crest Hill, Illinois 60403.

#### IV. NOTICE OF MEETINGS

- A. All Meeting Notices and Agendas shall be published consistent with the requirements of the Illinois Open Meetings Act. All Plan Commission Notices, Agendas and Commissioner Packets shall be delivered to the Plan Commission Members by regular or email, as requested by the Member.
- B. A Notice and Agenda for a Special Meeting as directed by the Chairperson or other presiding officer shall name the time and place of the Special Meeting and all business to be transacted and shall be sent to each member of the Commission by regular mail or email, as requested by the Member, at least seven (7) days in advance of the Special Meeting to allow sufficient time to enable a Member to attend.

- V. MEETING ATTENDANCE. If a member misses three (3) scheduled meetings in succession or five (5) scheduled meetings in a period of one (1) year, a recommendation may be made to the Mayor by the Plan Commission for that member's dismissal. Such a recommendation must be signed by four (4) Commission members. A member may be excused, with due cause, by the Chairperson without that absence being counted against the member.

#### VI. QUORUM

- A. Four (4) members of this Commission shall be necessary to constitute a quorum for the transaction of any business. Each member of the Commission is entitled to one vote.
- B. The affirmative vote of four (4) members present constituting the quorum shall be required for the exercise of powers or functions conferred or imposed upon the Commission, but less than a quorum of members may meet and adjourn from time to time until a quorum is present.

#### VII. OFFICERS

All Officers shall be members of the Commission and consist of a Chairperson and a Vice-Chairperson. The executive secretary shall not be a member of the Commission.

##### A. Chairperson

- 1. The Chairperson shall preside over all meetings of the Commission.
- 2. The Chairperson shall have general charge of the business of the Commission.

3. The Chairperson shall, in conjunction with the secretary when authorized by the Commission, execute in its name all contracts and other obligations.
4. The Chairperson shall appoint all committees.
5. The Chairperson shall have general supervision of the conduct of affairs of the Commission and of the employees thereof.
6. The Chairperson shall perform such other duties as are usually exercised by the Chairperson of a Commission or the President or Chief Executive Officer of a corporation.

B. Vice-Chairperson

1. The position of Vice-Chairperson is hereby established.
2. The Vice-Chairperson shall perform the duties of the Chairperson during the absence or disability of the Chairperson.

C. Secretary

1. The position of Secretary is hereby established.
2. The Secretary shall attend all regular and special meetings and shall be responsible for overseeing the taking and keeping of minutes of the Commission.
3. The Secretary shall oversee the publishing of all notices of regular and special meetings.

D. Executive Secretary

The executive secretary shall be a staff member of the City who is tasked with the responsibility of preliminary review of all applications coming before the Plan Commission, preparing and publishing Notices of Public Hearing, creating and maintaining agendas of the Commission, providing agenda packets and other materials to the Commission Members, coordinating and communicating with applicants, attending all Plan Commission meetings, creating and maintaining Minutes of all Plan Commission meetings and, under the direction of the Chairperson, keeping all books, papers, and records of the Plan Commission. However, the executive secretary shall not be responsible for the signing of any plats that have been approved by the Commission.

## VIII. COMMITTEES

- A. Standing Committees may be appointed as needed by the Chairperson.
- B. Each Committee shall consist of two (2) or more members to be appointed By the Chairperson.

The Chairperson shall have the authority whenever it may be advisable to appoint as advisory member of any Committee of the Commission, other citizens with talent, information or experience with the issues being addressed by the Committee to which they may be appointed.

- C. The Chairperson of the Commission shall appoint one member of each committee and a Chairperson thereof, and the Committee shall meet at such time and place as directed by the Chairperson of said committee.
- D. The members of a Committee shall serve for one year or until their successors are appointed, and any vacancy on the Committee shall be filled by the Chairperson of the Commission.
- E. Whenever necessary, the Chairperson of the Commission shall appoint such Special Committee for such purposes as he or she sees fit, or as may be authorized by the Commission.
- F. All reports of Committees upon which action by the Commission is contemplated shall be submitted in writing to the Commission and signed by the Chairperson of the Committee.

## IX. ELECTIONS AND APPOINTMENTS

- A. The Chairperson of the Commission shall be elected by the Commission Members and shall serve for one year or until a successor is elected.
- B. The Vice-Chairperson shall be elected by the Commission and shall serve for one year or until a successor is elected.
- C. Any vacancy in the office of the Chairperson or Vice-Chairperson of the Commission may be filled at any Regular or Special Meeting after such vacancy.
- D. The Chairperson of the Commission shall appoint any Committees and the Chairperson of each no later than the next Regular Meeting after the meeting at which Officers are elected.

- E. In the event that the Chairperson or Vice-Chairperson of the Commission should be absent or unable for any reason to attend to the duties of their office, the members of the Commission may at any Regular Meeting or at any Special Meeting called for that purpose, appoint a Chairperson Pro Temp, as the case may be, who shall attend to all the duties of such officer until such officer shall return or be able to attend to his or her duties.

X. ORDER OF BUSINESS

- A. Call to Order
- B. Pledge to The Flag
- C. Roll Call (for attendance)
- D. Approval of Prior Meeting Minutes
- E. New Business
- F. Other Business
- G. Public Comment
- H. Adjournment

XI. AMENDMENT OF BY-LAWS AND RULES OF PROCEDURE

These By-Laws and any Plan Commission Rules, Procedures, or Policies may be amended at any Regular or Special Meeting when submitted in writing (in advance) to the Commission Members and approved by a majority of the Commission.

XII. RULES OF ORDER

All proceedings before the City of Crest Hill Plan Commission shall be governed by Robert's Rules of Order wherever possible.

APPROVED: \_\_\_\_\_