

MINUTES
FLOSSMOOR PLAN COMMISSION
REGULAR JUNE MEETING
JUNE 18, 2020

Chair Curran called the June 18, 2020 regular Meeting of the Plan Commission to order at 7:35 PM

1. ROLL CALL

PRESENT:

Chair Curran, Commissioners McCarthy, Mitchell and Yast.

ABSENT:

Commissioners Martin, Matthys and White

ALSO PRESENT:

Scott Bugner, Zoning Administrator; Kathleen Orr, Village Attorney; Marlana Bayless, Petitioner

2. INTRODUCTORY COMMENTS

Chair Curran stated that the open meeting of the Plan Commission of the Village of Flossmoor was being conducted remotely, consistent with Governor Pritzker' Executive Order of March 16, 2020 due to the current State of Emergency in the State of Illinois given the outbreak of the novel coronavirus.

Chair Curran stated that in order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, we have been advised and directed by the State to suspend public gatherings, and as such, the Governor's Order suspends the requirement of the Open Meeting Act that members of the public body be physically present.

Chair Curran provided members of the Plan Commission, staff and the public with rules on how the meeting would be conducted.

3. APPROVAL OF THE MINUTES OF THE MEETINGS OF DECEMBER 12, 2019

Chair Curran asked the Commissioners if they had any changes or comments. Commissioner Mitchell recommended a minor change which was noted by Mr. Bugner. Chair Curran asked for a motion to approved the minutes as amended.

Commissioner Mitchell motioned to accept the minutes of the December 12, 2019 meeting as amended. Commissioner Yast seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners McCarthy, Mitchell and Yast

NAYS: None

**4. PUBLIC HEARING OF A REQUEST FOR A SPECIAL USE PERMIT FOR A SPORT COURT
(2112 HUTCHISON ROAD – RUFFIN)**

Chair Curran opened the Public Hearing and asked Mr. Bugner to provide a summary of the request. Mr. Bugner stated that a request had been received for a special use permit for a sport court at 2112 Hutchison Road which had been submitted by Danny Ruffin and Marlana Bayless, owners of the subject property.

Mr. Bugner stated that the subject property is an interior lot located on the south side of Hutchison Road improved with a single-family residence. He stated that the lot was rectangular in shape with dimensions of 100 feet wide by 180 deep with an area of approximately 18,000 square feet. He stated that the petitioner was proposing the installation of a sport court in the east half of the rear yard. Mr. Bugner stated that the proposed court would consist of a concrete slab with dimensions of 30 feet by 25 feet with an area of 725 square feet. He stated that the sport court would be primarily used as a basketball court. He stated that the petitioner had not indicated whether basketball backboards would be permanently mounted or portable. Mr. Bugner advised that the proposed court would be setback from the east and south lot lines. He stated that no additional lighting had been proposed and that a permit has been issued for a six-foot high privacy fence to enclose the rear yard.

Chair Curran asked if there were any inconsistencies with Village codes in relation to this request.

Mr. Bugner stated that the request met the regulations for special use in the R-4 District.

Chair Curran asked the Commissioners for any comments or questions.

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Commissioner McCarthy advised that he had visited the property and noted that some tree trimming maybe needed but that there is plenty of space with large rear yard. He stated that this proposal is consistent with other sport courts that have been approved in the past.

Commissioner Yast stated that he concerns about water runoff. He stated that the survey provided shows a sidewalk and a single driveway while he noted that there was actually a circular driveway in front which added a lot more impervious area. He asked if there were any regulations as far as water runoff or whether there had been any questions by neighboring property owners regarding potential runoff. Mr. Bugner stated that there had been no comments or questions from neighboring property owners regarding drainage issues and noted that the request does fall well within maximum lot coverage requirements.

Commissioner Mitchell asked if staff had received any letters or correspondence from the neighbors on Hagen Lane as it seemed that they would be most affected by the court. Chair Curran deferred the question by Commissioner Mitchell to permit the petitioner to address the Commission and provide a summary of why there is a need for the sport court.

Marlana Bayless explained that they had three boys and that due the present circumstances the children are at home without other places to go. She advised that they wanted to give the children more room in the back yard to play basketball and keep them from having to play in the front yard in the driveway. She explained that the neighbors behind her both have garages that back up to their property so there would be less of a negative impact to those neighbors on Hagen Lane. She stated that she didn't know when there would be any sense of normalcy and that they wanted to provide a safer environment for the children being in a fenced rear yard. She stated that her children's ages 15, 12 and 10.

Chair Curran asked if the court would be primarily used by the children and their friends. Ms. Bayless advised that they weren't entertaining others at this time and that the court would primarily used by just the boys.

Chair Curran stated that this looked like a half court and asked how they had determined the dimensions. Ms. Bayless advised that both they and the contractor looked at the yard and what would make the most sense for the space while trying to keep it away from the fence as well as neighboring properties.

Chair Curran stated that in the memorandum there was no intention to install any lighting for the sport court. Ms. Bayless stated that was accurate.

Chair Curran asked whether the petitioner had any further comments. Ms. Bayless advised that she had talked with the surrounding neighbors and not received any concerns or feedback.

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Chair Curran asked Mr. Bugner to read the correspondence that was received by staff.

Mr. Bugner read an email which was as follows:

“Hello, this email is in regards to the Flossmoor Plan Commission meeting that will be taking place on June 18, 2020, specifically the request for approval of a Special Use Permit for a sport court on the property located at 2112 Hutchison Road.

My concern with the installation of the sport court is the noise factor. Our back yard is like an echo chamber as we can hear conversations that are taking place in back yards at least 4-5 houses away. If a basketball court were to be installed just two houses away in the corner closest to our back yard, I fear the constant bouncing of the basketball and the children’s voices will carry directly into our back family room where we spend most of our time.

I do see on the memo from Mr. Bugner to the Plan Commission that a permit for a 6 foot high privacy fence surrounding the rear yard was recently issued. I am hopeful that this fence installation will be a requirement to buffer the noise that will be coming from the sport court. Also, on that same memo, it states that no additional lighting is proposed as part of the request which leads me to believe the sport court will not be utilized once it becomes dark outside.

It is nice to see the boys outside playing as all too often kids are happy to stay inside in front of a screen. I also understand the desire of our neighbors to move the basketball playing into the back yard for the reasons listed on the application. We only ask that in order to make this work for the neighborhood as a whole that the privacy fence be made a requirement to mitigate the noise.

Thank you very much for your consideration,

Lisa McAlister
2102 Hutchison Road”

Chair Curran stated that 2102 Hutchison was two houses east of the subject property on the same street. Mr. Bugner advised that was correct.

Chair Curran asked if there were any other members of the public that have called in to speak on the matter.

With no other comment, Chair Curran asked the commissioners for any other questions or comments.

Commissioner McCarthy asked the petitioner if the bushes along the east side of the yard would remain or be cleared out to install the fence. Ms. Bayless stated that whatever may need to be cleared for the installation of the fence would be removed but she advised that there was nothing in the way of the court itself and there should be no need to trim any of the trees.

Commissioner McCarthy asked if the proposed fence is a solid privacy fence and what the height of the fence would be. Ms. Bayless advised that the fence would be a solid six-foot high privacy fence.

Commissioner McCarthy asked that a condition of the special use be that there is no additional lighting which is a standard condition for the approval of sport courts.

Chair Curran advised that no lighting can be added as a condition of approval so there isn't any confusion on that issue.

Commissioner Yast stated that he was reviewing an aerial photo and asked Mr. Bugner if the request was well within the impervious lot coverage because it appears that there is also an addition on the back of the house that is not indicated on the provided site plan.

Mr. Bugner advised that the addition had been considered when determining lot coverage and that the maximum allowable lot coverage for all buildings and accessory structures would not be exceeded with the addition of the sport court.

Commissioner Yast recommended that there be conditions for requiring the fence and prohibiting lighting.

Commissioner Mitchell stated that he had no questions and would be in favor of the petition.

Chair Curran asked how the contractor planned on getting the concrete to the back yard.

Ms. Bayless stated the contractor would be using a bobcat and accessing the back yard on the east side of the property. She stated that since the fence is not yet installed there is enough room.

Chair Curran asked if Attorney Orr had any questions or comments. Attorney Orr advised that she had no comments.

Chair Curran asked if Mr. Bugner had anything else to add. Mr. Bugner advised that he had nothing more to add.

Chair Curran asked for a motion to recommend approval of the special use permit.

Commissioner Yast motioned to recommend approval with the conditions that a six-foot privacy fence be required and lighting be prohibited. Commissioner McCarthy seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners McCarthy, Mitchell and Yast

NAYS: None

Mr. Bugner advised the petitioner that an ordinance would be presented to the Board of Trustees for consideration at the July 6, 2020 Board Meeting.

4. OTHER BUSINESS

None

5. OLD BUSINESS

None

6. STAFF REPORTS

Attorney Orr advised that for the record both Mr. Bugner and Attorney Orr were present at Village Hall for the meeting. She stated that on June 10, 2020 the Governor signed Public Act 101-0640 which requires somebody to be physically present at Village Hall during meetings of Commissions, Committees and the Board of Trustees. She explained that for meetings of the Board of Trustees that person has to be either the Chief Executive Officer, the Village Attorney or the Chief Administrator. She stated that for meetings of the Plan Commission, that person has to be the Chairperson or the Village Attorney. She stated that every other member could continue meeting remotely for the duration of the disaster declaration. She stated that the Village Hall would also be open the other members to attend in person if they choose and that the public will also be permitted to attend in person up to a maximum of 50 persons including commissioners and staff.

7. MEMBERS CONCERNS AND IDEAS

None

8. ADJOURNMENT

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Commissioner McCarthy motioned to adjourn the meeting at 8:05 PM. Commissioner Yast seconded the motion which passed by roll call vote.

AYES: Chair Curran, Commissioners McCarthy, Mitchell and Yast

NAYS: None