

**MINUTES**  
**FLOSSMOOR PLAN COMMISSION**  
**REGULAR MARCH MEETING**  
**MARCH 18, 2021**

Chair Curran called the March 18, 2021 regular Meeting of the Plan Commission to order at 7:37 PM

**1. ROLL CALL**

**PRESENT:**

Chair Curran (remote), Commissioners Maddox, Martin, McCarthy, Matthys (remote), Mitchell (remote) and Yast.

**ABSENT:**

None

**ALSO PRESENT:**

Scott Bugner, Zoning Administrator; Kathleen Orr, Village Attorney; Aretus Smith, Petitioner; Robert Kirk, Petitioner; Pearl Smith, Petitioner; Randall Tate (remote); John Dzurak (remote), Charles Sergeant (remote), Joel Thompson (remote), Therese Thompson (remote), Anthony Scrementi, Dorothy Scrementi, John Piacenti, Yvonne Piacenti,

**2. INTRODUCTORY COMMENTS**

Chair Curran stated that the open meeting of the Plan Commission of the Village of Flossmoor was being conducted remotely and in person, consistent with Illinois Public Act 2020-0640.

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

Chair Curran suggested that due to the amount of local participation at the meeting it may be best to have one of the Commissioners who were physically in attendance to chair the meeting. Chair Curran asked if Commissioner McCarthy would act as Chair.

**3. APPROVAL OF THE MINUTES OF THE MEETINGS OF DECEMBER 17, 2020**

Acting Chair McCarthy asked the Commissioners if they had any changes or comments. Hearing no changes, Acting Chair McCarthy asked for a motion to approve the minutes as submitted.

**Commissioner Yast motioned to accept the minutes of the December 17, 2020 meeting as submitted. Chair Curran seconded the motion which passed by roll call vote.**

**AYES:** Chair Curran, Commissioners, Maddox, Martin, McCarthy, Mitchell and Yast

**NAYS:** None

**ABSTAIN:** Commissioner Matthys

**4. PUBLIC HEARING OF A REQUEST FOR RECOMMENDATION OF A CONCEPT PLAN FOR A PLAT OF SUBDIVISION AND A VARIATION FROM THE FLOSSMOOR SUBDIVISION ORDINANCE.**

Acting Chair McCarthy introduced the item and asked Mr. Bugner to provide a review of the request.

Mr. Bugner read the staff memo into the record as follows:

“We have received a request for a plat of annexation, rezoning, conceptual plat of subdivision and a variation from Section VIII E. of the Flossmoor Subdivision Ordinance. The request has been submitted by Robert Kirk of Group A Architecture on behalf of the property owner Aretus Smith of ACPS Developers. The facts in the matter are as follows:

The subject properties are located at the southeast corner of Flossmoor Road and Hamlin Avenue in unincorporated Cook County. The unimproved vacant parcels include an area of approximately 256’ wide by 400’ deep.

The petitioner is proposing seven new detached single-family dwellings with 3 facing Flossmoor Road and 4 facing Hamlin Avenue. The petitioner is seeking a zoning designation of R-6 Single Family Residential which is the same classification as the Flossmoor Hills and Highlands Subdivisions on the north side of Flossmoor Road.

The 3 proposed parcels facing Flossmoor Road would each be 85’- 4” wide by 146’- 7” deep with lot areas of 12,508 square feet. Each of these lots would meet the requirements of the Flossmoor Subdivision Ordinance as well as the Zoning Ordinance provisions of the proposed R-6 Zoning District.

The 4 proposed parcels facing Hamlin Avenue would be 63'- 4" wide by 201'- 0" deep with lot areas of 16,218 square feet. While each of these lots would meet the requirements of the R-6 Zoning District, they do not meet the minimum width requirement for new subdivisions as prescribed in the Subdivision Ordinance where Section IIIV E. 2. States that ***"...in no case shall a lot for residential purposes in a new subdivision be less than seventy-five (75) feet wide at the building line nor less than twelve thousand, five hundred square feet in area."***

The petitioner has therefore requested a variation from the Flossmoor Subdivision Ordinance Section IIIV E. 2. Stating that they are seeking a reduction in the required lot width from 75' to 63'- 4" or 15.7% due to the unique land configuration. The petitioner argues that while the lots in question do not meet the required lot width, they substantially exceed the lot area requirements. The petitioner further argues that 29% or 16 of the 55 lots in the adjacent Highlands subdivision on the north side of Flossmoor Road fail to meet either the 75' minimum lot width or the 12,500 square foot lot area. Lastly the petitioner that the proposed subdivision as designed would be in character with the existing pattern of development of the surrounding areas and would be a welcome addition to the immediate neighborhood.

In 1988 the Village Board passed Ordinance 876 amending the Subdivision Ordinance to provide for a variation process and the standards for approval of such. The reason for the amendment was to provide relief in those cases where physical constraints such as property configuration, topography and/or other natural conditions would make strict compliance with the regulations impractical or present a particular hardship.

Variations from the Subdivision Ordinance are considered by Plan Commission and do not require a formal Public Hearing or publication of a legal notice. Variations from the Subdivision Ordinance are considered at the same time as the proposed Preliminary Plat, however in this case the petitioner is seeking the variation based on the concept plan before proceeding to the preliminary/final plat stage.

The standards for approval of variations from the Subdivision Ordinance are as follows:

***That granting of the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property.***

***The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.***

***Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.***

***The variations will not in any manner vary the provisions of the Zoning Ordinance, Master Plan, or Official Map.***

While the Flossmoor Comprehensive Plan emphasizes the Village's preference for lower residential densities and larger Planned Residential Developments with larger lots, it is recognized that the Southwest Flossmoor neighborhood is comprised of several distinctive sub areas and as such the Village recognizes that existing lot lines and patterns of ownership may preclude the assembly of larger development parcels and serve as a constraint on future re-subdivisions.

Staff would note that Highgrove Estates in Southwest Flossmoor which was approved as a Planned Residential Development consists of single-family lots with a much greater density than that which is proposed by the petitioner with 17 lots on 4.1 acre versus 7 lots on 2.35 acres.

Should the Commissioners believe that a variation request should be granted it should be stated explicitly in the recommendation for approval of the plat.

Public Works Director John Brunke offered the following comments regarding the proposed subdivision request:

1. An 8" sanitary sewer extension will be needed from the northeast corner of Flossmoor Road and Hamlin Avenue, south to the south line of the proposed development to serve lots 1,4,5,6 and 7. Another sanitary sewer extension will be needed along the south side of Flossmoor Road to the east line of the development to serve lots 2 and 3.
2. An 8" water main extension will be needed from the north side of Flossmoor Road, south to the existing 8" water main at the southeast corner of Hamlin Avenue and 192<sup>nd</sup> Street to serve lots 1,4,5,6 and 7. Lots 2 and 3 can be served by a water service installed under Flossmoor Road to the existing water main on the northside of Flossmoor Road.
3. With the annexation of this property, the right-of-way of Hamlin Avenue will need to be dedicated to the Village via plat. Further, Hamlin Avenue will also need to be improved to the Village standard (27 ft. back-of-curb to back-of-curb) roadway with curb and gutter and storm sewer infrastructure along the frontage of the development.
4. Sidewalk will be required on the east side of Hamlin Avenue from the corner of Flossmoor Road to the south lot line of the development and on Flossmoor Road from Hamlin Avenue to the east lot line of the development.
5. Stormwater Detention will be required for this development in accordance with the Village's Stormwater Management Ordinance. The site naturally drains to the northeast

corner of the site to the County right-of-way ditch and this pattern will need to be maintained for the discharge of stormwater from this development.

6. In addition to the permits and approvals that will be required from the Village, permits or approvals will also be required from the MWRD, IEPA, Cook County Department of Transportation and Highways, and the Rich Township Highway Department.”

Mr. Bugner advised that he would be happy to answer any questions and that the petitioners were present and available to answer questions as well.

Acting Chair McCarthy asked the petitioner to provide a summary of their petition.

Robert Kirk of Group A Architecture advised that he was the Architect and designer for the Pearls of Flossmoor. He stated that the property would be developed by a firm that has been in Flossmoor for the last eighteen years.

Mr. Kirk advised that the subject property is in unincorporated Cook County, fully wooded and undeveloped with a lot of old growth trees. He advised that many of those trees would be preserved and create deep and significantly desirable lots.

Mr. Kirk stated that each of the designs proposed would be similar in style yet unique in architecture with elements of stone, stucco and horizontal siding. He added that Flossmoor has a unique history of architecture both in mid-century and traditional and feels that this would be a great addition to the character of what Flossmoor is all about.

Mr. Kirk advised that they are requesting a variation from the Flossmoor Subdivision Ordinance of 6 feet on each side of the four lots located on Hamlin Avenue but that the three lots on Flossmoor Road would meet or exceed the minimum regulations of the subdivision ordinance and the R-6 zoning district which is what they would be requesting. He stated that the variance requested is to reduce the widths of the lots on Hamlin Avenue from the minimum required 75 feet to 63 feet.

Mr. Kirk advised that in looking at the proposal there are specifications of what each house would have which includes two-car garages, 12-foot-high ceilings on the first floor, either one-story or two-story homes depending on the homebuyer's preference. He stated that each home would be unique and designed with homebuyer in mind so there could be elements that could be changed or added. He stated that they would have contemporary kitchens with very high-end materials and that the homes would be selling for around \$450,000.00 each. He stated that he hoped it would be a very successful project and that we are in a great selling period. He added that it was a tough year last year and that hopefully this project will help bring in new housing that is desirable and unique. He stated that the size of each house would be approximately

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2,400 - 2,500 square feet of living space with high quality windows and timeless materials and that it is their desire to make each home energy efficient and what would be a timeless addition to the fabric of Flossmoor.

Mr. Kirk asked if there were any questions or comments.

Acting Chair McCarthy asked for comments or questions from the commissioners.

Commissioner Yast stated that it appeared there was an error in the depth of the lots on Hamlin Avenue. Mr. Kirk clarified that the depth was 256 feet for those lots as opposed to the previously described 201 feet.

Commissioner Yast asked if the developer had done any other development in Flossmoor. Mr. Kirk advised that they were in the business of home remodeling and restoration and that they had not done a subdivision like this in the last 18 years but that they are well qualified.

Commissioner Yast asked if they had built any new homes. Mr. Aretus Smith advised that they had never done new construction. He stated that whenever you embark on a new project you try to find people that know more than you know. He stated that they have been in the restoration business throughout the region taking severely distressed homes, gutting them and giving them new life. Mr. Smith stated that when they decided to take on new construction he conducted a lot of research and that Group A Architecture has not only experience in Flossmoor but also 24 years of experience to provide guidance and that their job is to select the proper trades that will bring the type of quality that is desired. He advised that as a resident you want to take pride in your community.

Commissioner Yast asked why not cut out one of the lots and therefore not have a need for a variance. Mr. Kirk stated that all of the adjoining subdivisions in Flossmoor were R-6 zoning and that the proposed lots would meet or exceed the R-6 zoning regulations for lot width and area. Mr. Bugner advised that the subdivision ordinance states that all new subdivisions shall have a minimum lot width of 75 feet and a minimum lot area of 12,500 square feet. He stated the subdivision regulations supersede the R-6 zoning regulations.

Commissioner Yast asked what R-6 called for. Mr. Bugner advised that R-6 required minimum lot widths of 60 feet and minimum lot areas 10,000 square feet, however that subdivision was annexed into the Village after it was built and that there would more than likely not be an R-6 district if that had not been the case.

Mr. Kirk stated that 20 percent of the lots in the Highlands subdivision do not meet the requirements of the R-6 district. Commissioner Yast stated that those lots had already been

built on and occupied prior to annexation and zoning classification. Mr. Kirk stated that there was strange variety of lot sizes and shapes.

Commissioner Martin asked about the hydrology model of the site, how the stormwater would be handled and who is managing that aspect. Mr. Kirk advised that they would be working with Landmark Engineering and that the civil engineers would be working towards getting the MWRD and other approvals including Village staff where all of those concerns would be addressed. He advised that one of the nice things about the site is that the area to rear does not have as many trees as in the front and that it is the lower area of the land which would require less clearing, while maintaining the trees in front for more desirable lots. He stated that there would be site detention which would be large enough so that it would not need to be very deep allowing for a grass area most of the time and that the drainage would exit at the northeast of the site.

Commissioner Martin asked if there would be an easement for access and that there would be a dry bottom. Mr. Kirk advised that they would meet all of the requirements of the Village and MWRD.

Mr. Kirk advised that one of the nice things about the site and the reason we are asking for the variance for seven lots is that the average lot size is over 14,000 square feet for all seven lots which works well for a single-family area.

Chair Curran asked why the subdivision wasn't designed to meet the minimum requirements of the subdivision ordinance. Mr. Kirk advised that they would like to stay within the R-6 district which was the zoning which was planned lot the lot when it was purchased with direction received from Village staff and they meet and exceed those requirements. He stated that all of the adjoining subdivisions are R-6 and that they would like to also be within the R-6 district.

Acting Chair McCarthy asked what subdivisions are adjacent to this site. Mr. Bugner advised that the Highlands and Flossmoor Hills subdivisions on the north side of Flossmoor Road are adjacent and zoned R-6.

Chair Curran asked if there was any R-6 property abutting the subject property and was this essentially a stand-alone subdivision. Mr. Bugner stated that there was no R-6 district directly abutting but that because there was an R-6 district on the north side of Flossmoor Road, the road itself would be considered to be within the R-6 district.

Commissioner Matthys stated that even though there is R-6 zoning adjacent why do we have to assume that this would have to be R-6 as well, noting that there is also R-5 and R-4 zoning further down Flossmoor Road. Mr. Bugner advised that the petitioner was requesting R-6 and

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that there was an adjoining R-6 zoning district. Mr. Kirk stated they were given that direction when they came into the Village by staff. Mr. Bugner advised that was what they were requesting because it abutted that district. Mr. Bugner explained that when a property is annexed into the Village it is automatically zoned R-1 unless there is a specific request otherwise. Mr. Bugner also advised that the property is large enough to go in the direction of a PUD which would be an R-7 zoning.

Commissioner Yast asked what property was adjoining that was R-6. Mr. Bugner explained that essentially Flossmoor Road was within R-6. He stated that the properties to east on the south side of Flossmoor Road were primarily within unincorporated Cook County and designated with County zoning classifications.

Chair Curran asked about the subdivision ordinance regulations and the requirement for a minimum lot width of 75 feet and why are we considering widths of 63 feet. Mr. Bugner stated that was at the request of the petitioner. He added that the ordinance states that the minimum lot width for new subdivisions is 75 feet and unless a variance is granted otherwise than the petitioner would be required to meet the minimum of 75 feet.

Chair Curran asked about the zoning across the street. Mr. Bugner advised that was R-6 but that that area was annexed after the subdivision was built and that there were substandard lots at the time of annexation and that the Village created the R-6 zoning district at that time.

Chair Curran stated that situation appeared to be an unusual circumstance but that the proposed subdivision can apply for the same zoning. Mr. Bugner agreed.

Commissioner Matthys asked what action is being asked of the Commission tonight in regards to this petition and if this is a preliminary review or request. Mr. Bugner advised that at this point in time the main consideration is whether to grant the requested variation or to provide the petitioner with feedback otherwise if you choose not to. He added that the petition has to meet the criteria for a variation as established in the subdivision ordinance.

Commissioner Matthys asked if the Commission was considering an annexation, rezoning, subdivision plan and a variance from the subdivision ordinance. Mr. Bugner advised that the Commission would be considering the variation request, the concept of the subdivision plan and whether R-6 zoning would be considered. He added that an annexation request would go to the Village Board. Attorney Orr advised that we could have done an annexation agreement first and presented that to the Village Board but given the circumstances it made sense to present this to the Plan Commission. She stated that the first item on the agenda for a Village Board would be to consider the annexation contingent to the variation request so staff is looking to the Plan Commission to give the Village Board its recommendation.



Commissioner Matthys asked about the proposed detention noting that it is proposed to be partially within four separate lots, and if the detention area would be included in the square footage of those lots or whether the detention would need to be on a separate lot. Mr. Bugner advised that with the current plan the detention would be separately owned and considered as part of the overall square footage of the individual lots.

Commissioner Matthys added that he has several comments regarding the proposal but would defer until public comments.

Chair Curran asked if the detention was shown to be part of the individual lots or if there was a separate parcel for the detention area. Mr. Bugner advised that as shown, the detention is shown as being among multiple lots.

Chair Curran asked if that would be appropriate.

Commissioner Matthys advised that the detention should be separate from the individual lots which would impact the square footage of those lots.

Attorney Orr added that an HOA would also be required to control the maintenance along with an underlying SSA in the event the ownership discontinues maintenance.

Acting Chair McCarthy asked for clarification on the SSA. Attorney Orr advised that an SSA is a special service area that has the right to assess the property owners that are benefitted by the detention in the event the HOA fails prospectively to maintain. Attorney Orr explained that is if the detention is on a separate lot but if the detention is a part of each lot, each homeowner would be responsible for their proportionate share.

Commissioner Maddox asked what the proportion of the lots is currently used for detention. Mr. Bugner advised that the lots are currently vacant and that there is no existing detention.

Commissioner Maddox asked if there had been feedback provided the other department heads such as Public Works and the Fire Department with regards to how this may impact operations. Mr. Bugner advised that Director Brunke has provided comments regarding the petition requiring sanitary sewer extensions, water main extensions, right of way improvements on Hamlin Avenue, sidewalks, stormwater detention and any additional permits required. Mr. Bugner added that the Fire Department has requested a water main extension to provide hydrant access to those properties.

Commissioner Mitchell asked if any subdivisions had been granted a variance since the annexation of the Highlands. Mr. Bugner advised that the only variance from the subdivision

ordinance he was aware of was a re-subdivision of two existing lots in old Flossmoor to make them more uniform. The variance that was granted permitted one of the lots to be nominally smaller in area than the required 12,500 square feet. The properties were already built.

Commissioner Mitchell asked what would be the reason to grant a variance based on what the Village has done in the past with previous developments such as Pinehurst. Mr. Bugner stated the Comprehensive Plan does recommend that the Sunnycrest area be developed on larger lots with less density in keeping with the existing developments in the area. Mr. Bugner did point out Highgrove Estates off of Kedzie Avenue and 192<sup>nd</sup> Street which was developed as a PUD and where the lots weren't contiguous but within one larger lot and having much greater densities than proposed in this request. Mr. Bugner also noted that the Ballantrae subdivision was also developed as a PUD which has lots varying in size from 15,000 square feet up to 21,000 square feet in area. Mr. Bugner advised that those were the two subdivisions that the Village has annexed in the Sunnycrest area.

Commissioner Matthys advised that the Pinewoods subdivision is zoned R-5 which would allow lots with 75-foot widths and 12,500 square feet in area, but noted that most of those lots were 100 feet wide with lot areas of 15,000 square feet. He stated that the developer of the Pinehurst subdivision provided larger lot sizes than the zoning district required.

Commissioner Mitchell asked petitioner if the reason for the seven lots was strictly because you want seven lots or could lots 4,5,6 and 7 be combined to make 2 lots given the area. Mr. Kirk stated that with 3 lots it could meet the requirements. Mr. Kirk stated as proposed the subdivision would exceed the lot area requirements of the R-6 zoning district by 30 percent. He stated that they felt the larger lot size versus the 6-foot variance on each side of the lots was a good trade off and that they believe the R-6 zoning is the proper zoning for this neighborhood. He advised that they were not seeking a variance for both lot width and area but only for a lot width reduction of about 15 percent.

Commissioner Matthys stated that the request is based on R-6 zoning but that R-6 zoning is something that is on the table for the Commission to determine if it is appropriate. He stated all of the unincorporated lots in the area are around 30,000 square feet each and that Ballantrae has lots between 15,000 and 20,000 square feet in area. He advised that while there is R-6 zoning across Flossmoor Road, the neighborhood where this development would occur has much larger lots and that this should be considered when determining what the appropriate zoning should be for this subdivision.

Commissioner Martin advised that when the petitioner is giving the square footage of the lots includes the area of detention and that there would have to be an easement designated, so in looking at lots 4,5,6 and 7 eliminating one lot may be ideal but also looking at lots 1,2 and 3

there is concern with the water in this area. She advised that in looking at the proposed detention it appears that it is about the size of lot 3 and maybe a third of lot 2 that is being taken away from the overall square footage of the lots. She stated that these were not the ideal square foot lots that are being quoted but actually much smaller.

Commissioner Martin asked that if the detention is supposed to be a dry bottom that is wonderful, but if it is not turns out to be a wet bottom who is going to maintain the soft, smelly earth that it becomes from trapped water over time if it isn't maintained properly. Mr. Kirk stated that over the years he has done over 15 subdivisions in various towns and that in every case the detention has been on the sites of private property and that this is first time that he has heard of detention on a separate lot. He stated that this detention is designed because it is so large that it is designed to be a dry basin. He added that the area would be more than adequate to handle the detention. Commissioner Martin stated that she did not know that as there have been no dimensions provided. Mr. Kirk stated the total area of detention has yet to be finalized. He stated that in every other subdivision in every town the detention becomes a part of the ownership of the property and not somebody else owning it. Commissioner Martin disagreed.

Commissioner Matthys stated that it is part of the collective ownership and that a group would be required to maintain it but that the detention is typically not part of the lot such is in Ballantrae. Mr. Kirk stated that hasn't been the case in the 15 subdivisions he has done.

Attorney Orr advised that she had approved over 100 subdivisions in various municipalities and typically what happens more often than not is that the detention is jointly owned and separately maintained by a homeowner's association who can levy and collect money to make sure that it is maintained. Mr. Kirk agreed that if it was a large subdivision with a pond this would make sense but that with a small subdivision such as this one with only 7 homes, the low areas that would keep the water on site for a period of time would be privately owned.

Commissioner Martin stated that the area in question is already a low area that already traps water and has release issues which are already a concern. Commissioner Martin stated that the petitioner indicated that there would be an easement but that is not indicated on the site plan and also that it was indicated that the detention would be a very shallow dry bottom pond. Commissioner Martin advised that it was not clear on how that could be accomplished given such a high-water table in the area. Mr. Kirk advised that the property naturally drains to that area that opens to grass and that the area will be designed by the engineer to meet whatever the requirements are. He added that the engineering has not been completed yet but that the general area indicated would be the area of detention.

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Commissioner Martin commented that the overall square footage is not as it is being represented and not as large as indicated because you have to account for where the water is going to go which would take away from the usable or buildable area of the lot and that no permitted structure can be build in an area that is designated for water collection and that there should probably 2 lots removed from the proposed model.

Acting Chair McCarthy added that while the easement is not indicated on the site plan, there is not a lot of room there to get the water off the site.

Acting Chair asked if there were any public comments.

Mr. Bugner advised that he had received several emails to read into the record. Mr. Bugner read 4 emails received into the record.

"Hello,

Our names are Charles and Aneesa Sergeant, and we have two school-aged children. We live on Hamlin Avenue, which is across the street from the development in question at this evening's meeting.

In 2018, we made a very important decision to move to the unincorporated Homewood community. The reason why this decision was important to our family is that the community we left had become unsafe for us and most importantly unsafe for our children. The unincorporated Homewood community has been our saving grace.

When we decided that we were interested in Homewood, we did a Google search for Open Houses the weekend we made the trip to the south suburbs. Our current home was only the 2nd and last home we toured during that weekend. We walked in the front door, looked at each other and said "this is it." Our home and community is very unique to us and we are invested here.

The surrounding homes are special and so is the land they sit on. The peace we experience is unmatched. The privacy that our community offers is appreciated. The beauty of the trees and nature surrounding our home reminds us that we made the right choice when we chose our "forever" home in unincorporated Homewood.

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With this stated, we only support one home built per lot as consistent with the current homes in our community. We believe that anything else would compromise the integrity and value of our community. We do not support any Plat of Annexation, Rezoning and Preliminary Plat Subdivision that is contrary to this.

Please take the current residents of our community into consideration regarding this decision.

Thank you.

Warm regards,

Charles and Aneesa Sergeant"

"Hello,

I have some comments and questions to add to the record for the meeting being held on the annexation of 2 lots on Flossmoor Rd. First, I would like to attend the meeting but no time is listed on the communication, only that the meeting is being held on March 18th. What time will this public hearing be held? My comments and questions for the record below:

To the Planning Board,

I live at 1053 Hamlin Ave directly across the street from the proposed annexation lots. While I don't have a problem with developing the land I have a couple of concerns.

1. I noticed that a developer has already started clearing trees on the property and has removed about 75% of the trees and brush. There is usually a lot wildlife in that field and I'm concerned that the clearing may cause more animal street crossings and thus more car accidents. Has this been taken into consideration or a nature study provided before permitting the property development to start?
2. The communication does not state the purpose the property will be used for. As this is a residential area, I am STRONGLY against allowing that land to be used for anything other than residential. It would be extremely out of place to allow any commercial use of those 2 lots and a potential traffic hazard. The intersection of Flossmoor Rd and Hamlin has already had a number of accidents there already. What is the purpose of the development?

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3. Have the developers been reviewed to determine that they have the means to complete the project? Do we have the plans for proposed project and are they publicly available? We've all seen the issues that have occurred with the property on Kedzie Ave. next to CVS. I do not want to see another unfinished eyesore project in my community. The developers must be fully capable and committed to finishing the project with a product that fits the aesthetics of the surrounding community.

Please enter these questions and comments into the Plan Commission record and I look forward to hearing your responses.

Neighborly Submitted,

Herman Weaver

1053 Hamlin Avenue”

“We, Anthony and Dorothy Scrementi, oppose any rezoning, annexation and/or subdivisions of the adjacent properties north of our residence located at 19177 Hamlin ave Homewood il 60430. This blatant spot zoning intended to benefit a single property owner is incongruent with the family neighborhood of this semi- rural character of Sunnycrest. We find this abhorrent behavior and want it stopped.

The current lot size should be kept with only one single family home built per lot!”

“Dear Village of Flossmoor,

My family has lived here in the Sunny Crest subdivision that you are currently talking about. We have lived here for 23 years. We enjoy our quiet rural house spaced as they are on not on top of each other.

This area was more designed for houses on bigger lots and not multiple house so close together. Every house in this subdivision is very unique and different just like the people which we love.

We are opposed to this development and rezoning as we have seen many issues already with developers/builders. Take example Ballantrae the Builder put in a retention area and it has drained to our street on 192nd/Central Park Avenue for years flooding all of our area homes. A resident took it upon himself to fight to get some relief to our homes in our neighborhood from this builder who diverted his water to our area. Started with the Rich Township and then Cook

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County and then The State of Illinois as Flossmoor Road I believe is a state road on our side of town. We finally got a covert installed that runs the water to Flossmoor Road. Though we still get a flood of water from Ballantrae that flows from there and sometimes will flow over 192nd straight to Flossmoor Road.

Your Builder wants to install a maintained retention and where will that flow too?

There are already enough water issues in our area. Look at the Dollar Store on Flossmoor/Crawford with the retention they have. Parking lot entrance always under water or even the homes with their backyards all under water and already no where for the water to go between Flossmoor and 192nd Street. Now you want to had 7 homes to add to the water table.

This is also mostly well and septic area so homes need drainage for systems to work not to hold water in retention ponds for those surrounding homes. How does that water table work for those homes?

Now this will also increase more traffic on our rural street. Putting 4 houses where 1 should be on Hamlin/Flossmoor and 3 on Flossmoor Road where 1 should be. It's going to create a lot more traffic for our rural road. We have many runners and bicyclist that ride down our street to get to the forest preserve trail. I believe this will be even more dangerous to the people who enjoy this rural area adding that many homes in such a small area. We already have a race track to and from Ballentrae on Central Park. Which used to be a dead end road. I can only see adding this many more homes on Hamlin to cause even more traffic.

I sure hope we think about our neighborhood and what entails for us.

Respectfully,

Carrie Brown"

Email correspondence concluded by Mr. Bugner.

Acting Chair McCarthy asked for anybody on the call who wished to comment.

John Dzurak of 3580 W 194<sup>th</sup> Street stated that his wife and he have live on their property for 42 years. He advised that he found it quite interesting and although finding it hard to hear some of the comments he thought he heard that the 7 homes would be selling for somewhere in the neighborhood of \$450,000 each. He stated that in looking at the map indicating the lots and the

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detention he wondered if the owners of lots 4,5,6 and 7 would own the property where the detention is on and added that anybody who owns homes think gee how would you like to have somebody cut through four properties and all the neighbors agree on what's going on and that doesn't make any sense. He stated that he is on the high point at 194<sup>th</sup> Street which borders up against the Ballantrae development on Central Park and that just with the rain that fell today left standing water in everybody's yard so we can't emphasize enough how important detention is. Mr. Dzurak thanked the Commission for hearing the residents and advised that we love living here in Sunnycrest. He stated that we are going to be involved and talk about with you all.

Joel Thompson of 3710 192<sup>nd</sup> Street stated that the construction would be literally right around the corner from his house and he was concerned about traffic and the water situation as there is a lot of standing water in the area. He advised that there are a lot of people that walk in the area and that 7 houses would add to both additional traffic and additional water issues. He stated that he could see one house being built on each of the existing lots but that 7 houses would be too much and wouldn't fit our neighborhood.

Randall Tate of 1035 Hamlin Avenue stated that he had been a resident there for about 25 years. He stated that he appreciated that Flossmoor has these ordinances and standards and that they are followed and just wanted to point out that he was required to get a variance just to get an offset on a shed on his property which was not granted so he would hope that would be considered and that the ordinances would continue to be followed.

Joel Thompson asked how long would the project take to complete is it were approved and that when they were clearing trees they showed up at 7 AM on a Sunday.

Aretus Smith stated that large projects take longer than smaller projects and that if you understand what is happening with real estate right now the market is up seventy percent. He stated the typical home today has a market trend of about 7 to 10 days. Mr. Smith wanted to add that there was two ways they were approaching this development stating that first the property is already unincorporated Cook County and that it was not a choice to go unincorporated Cook County because the rules of engagement in Cook County is a 100 x 400 lot so on the Hamlin side it would have been automatically 4 homes on Hamlin with well and septic. Commissioner Martin advised that you can't put septic in where there is a pond in the rear yards. Mr. Smith stated that they chose not to go unincorporated because we wanted a better quality of home with water service and sanitary sewer instead of well and septic. Mr. Smith advised that he was a resident of the community and lives on 192<sup>nd</sup> Street so he is familiar with the water issues and flooding of the basements and that he understands the issues. Mr. Smith stated when they first came to the Village the first thing they wanted to find out is what the Village requirements were. He stated that Mr. Bugner provided them with the



regulations for the R-6 zoning district which allows for 60-foot lot widths, however he understands now that the new regulations for subdivisions require 75-foot lot widths. Mr. Smith also stated that as far as the stormwater issues, the plan was to provide the civil engineering at a future meeting and that this meeting was to determine whether a variance would be granted. Commissioner Martin advised that once the civils are done the lot sizes would be reduced greatly due to the stormwater detention that will be required and that essentially the petitioner is asking for a variance for lots that aren't truly the size that is shown and that you are going to sell somebody a house for \$450,000.00 on this lot size that's inflated in a preliminary conceptual plan and they can't build anything from 25 or 30 feet from their house out to an easement that doesn't exist right now. Mr. Smith stated that they had initiated with a 60-foot-wide lot and that if there is not going to be a variance then there isn't going to be a variance and if it is going to be 75 then that's what it is.

Joel Thompson again asked what the timeline for completion of the project would be. Mr. Smith stated that one home typically takes 6 -12 months to complete.

Acting Chair McCarthy asked if there was anybody else who wished to comment.

Charles Sergeant stated that they are very concerned about the density of the houses being proposed and that to him it is very simple that there is a large amount of houses that doesn't match the amount of homes that currently exist on the lot sizes that we have and we don't know where all of this water is going to and that doesn't sound right to us. Mr. Sergeant added that it appears that the petitioner wants more homes to make more money and while that benefits the petitioner it doesn't benefit them.

Tony Scrementi of 19177 Hamlin Avenue stated that he lives adjacent to the subject property and that he objects to any change in zoning of those lots in that neighborhood and that this change would be inconsistent with the neighborhood that is there and that it would change the character of the neighborhood. He stated that he doesn't anybody in the neighborhood wants the development. Mr. Scrementi also added that the petitioner stated that the lots were heavily wooded and that they would be keeping the trees there but that they went in with a bulldozer and knocked down all the trees.

Yvonne Piacenti of 3826 192<sup>nd</sup> Street stated that they live just south of the proposed project, have lived there for 20 years and that their street was very laid back with a very unique character with one acre plus lot sizes. Ms. Piacenti stated that traffic has been increasing every year in the area and that nobody is serious about the stop sign at Hamlin and 192<sup>nd</sup> and that there have been several accidents at Hamlin and Flossmoor. Ms. Piacenti advised that the street at the proposed subdivision is so narrow cars have to pull to the side to allow other cars to pass and that building there would increase the traffic. Ms. Piacenti added that \$450,000

houses was high and that most of the houses in the area were more likely around \$200,000. She stated that they liked what they have and there is a lot of wildlife in the area which they like. Acting Chair McCarthy asked Ms. Piacenti if she had any additional comments related to the proposed project. Ms. Piacenti stated that they often have standing water due to flooding and that their yard is unusable until late May, so that building something of this kind would be worse. Ms. Piacenti advised that there is nothing wrong with development but that it needs to be a smart development, maybe one house but not more.

Pearl Smith of 19232 Kedzie Avenue advised that the property was cleared of brush, not trees and that it was necessary in order to get the topographic study done. Ms. Smith stated that the trees are still there. Ms. Smith added that project is intended to beautify the area not to bring anything bad to Flossmoor and that it would bring something different and new. Ms. Smith stated that some people are not used to change or would like change but that the area has been wooded and vacant for years, so they would like to develop that area for new homes not for business. Lastly Ms. Smith stated that Baythorne has detention that holds the water for a period of time and then drains and that this is similar to what is proposed here.

Ms. Piacenti advised that the water has caused shifting of their houses in the area requiring lots of repairs and that water is the biggest factor on their street. Ms. Piacenti asked where the construction vehicles would park for 6 – 12 months given the narrow road.

Dorothy Scrementi of 19177 Hamlin Avenue stated that their home should be the poster child for PermaSeal because they have had them out there twice for two major projects due to water and their property is just south of the proposed development.

Commissioner Martin stated that there is more than just topography and that if the soil makeup is granular and there isn't a feasible absorption rate then the water has to go somewhere.

With no further public comment Acting Chair asked the Commissioners for further comments.

Commissioner Yast stated that doing nothing with lots is not a reasonable expectation. He understands that water is a big issue but that if it can be engineered some development could be feasible. Commissioner Yast advised that it looked like the proposed detention would encompass roughly the east 1/3 of the 4 lots on Hamlin which would leave them with a depth of roughly 170 feet and if you make them 84 feet wide you would have 14,400 square foot lots. Commissioner Yast stated that it may be reasonable for 6 lots with engineered drainage and that he may be overall in favor of it.

Attorney Orr advised that the issue before the Commission tonight is whether or not you support the variance and a recommendation or lack thereof.

Commissioner Yast advised that he would be against the variance.

Commissioner Martin stated that she was opposed to the variance.

Acting Chair McCarthy advised that while people don't like change there are also property rights and that we have regulations and ordinances which require engineering studies to ensure that what work is done is done properly. He stated that doesn't necessarily mean that there won't be any problems because water has been a significant issue throughout the Village. He also added that not permitting an owner from building on a property that meets the ordinances is not proper. Acting Chair McCarthy stated that he did not support the variance as it was trying to shoehorn to much into a tight area and there are other issues that would have to be addressed.

Chair Curran stated that there are issues with the plan that include detention areas that are shared among several properties which is not acceptable. He advised that a separate parcel for detention should be dedicated and maintained by the association as a whole and as a result that would impact the square footage of the individual lots. Chair Curran added that another issue is the increase that would be required for the street width along with the required sidewalks and whether that would further impact the lot sizes. Chair Curran advised that he was not in favor of the variance.

Commissioner Matthys advised that he was not in support of the variance and that for future reference regarding this lot we shouldn't be referencing R-6 but something more appropriate whether it be R-5 or looking at it as a PUD.

Commissioner Mitchell advised that he would not be in support of the variance.

Commissioner Maddox advised that while he was in favor of new development, he was not in favor of a variation and that R-6 zoning should not be the goal for this area. He also added that shared detention could be a huge mess.

Acting Chair McCarthy closed the public hearing and asked for a motion on the matter.

**Commissioner Matthys motioned to approve the variance as submitted.**

**Motion did not receive a second and thereby failed.**

Acting Chair McCarthy advised that because the ordinance allows for an R-6 zoning doesn't mean that it should be and that other developments such as Pinewoods have been nicely done with larger lots that weren't squeezed.

**5. OTHER BUSINESS**

None

**6. OLD BUSINESS**

None

**7. STAFF REPORTS**

None

**8. MEMBERS CONCERNS AND IDEAS**

None

**9. ADJOURNMENT**

**Commissioner Yast motioned to adjourn the meeting. Commissioner Matthys seconded the motion which passed by roll call vote.**

**AYES:** Chair Curran, Commissioners Maddox, Martin, Matthys, McCarthy, Mitchell and Yast

**NAYS:** None