

MINUTES OF THE
CREST HILL PLAN COMMISSION

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

The Pledge of Allegiance was recited in unison.

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

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

Absent were: Commissioner John Stanton, Commissioner Jan Plettau.

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

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

On roll call, the vote was:

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

NAYES: None.

ABSTAIN: Commissioner Carroll.

ABSENT: Commissioner Plettau, Stanton.

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

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

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

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

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

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

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

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

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

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

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

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

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

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

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

Chairman Thomas asked the commissioners if they had any questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

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

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

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

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

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

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

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

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

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

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

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

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

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

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

Chairman Thomas asked the Commissioners if there are any questions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

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

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

PUBLIC COMMENTS: There were no public comments.

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

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

On roll call, the vote was:

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

NAYES: None.

ABSENT: Commissioner Plettau, Stanton.

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

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

As approved this 14th day of March, 2024
As presented ✓
As amended _____



BILL THOMAS, COMMISSION CHAIRMAN