

**VILLAGE OF OSWEGO  
MINUTES OF THE PLANNING & ZONING COMMISSION MEETING  
100 PARKERS MILL  
OSWEGO, ILLINOIS**

**August 5, 2021**

**1. CALL TO ORDER**

Chairman Pajor called the Oswego Planning & Zoning Commission Meeting to order at 7:00 p.m.

**2. ROLL CALL**

Present: Jason Kapus, Rick Kuhn, Andrew McCallum, Charlie Pajor, Judy Sollinger  
Absent: Dominick Cirone, Brook Henschen

There was a quorum.

Oswego community representatives in attendance were:

Present: Rod Zenner, Development Services Director; Natalie Zine, Planner; Chad Feldotto, Oswegoland Park District; Mary Ellen Bliss, Recording Secretary

**3. MINUTES**

Motion: Commissioner Sollinger, second Commissioner Kuhn to accept the minutes of the July 8, 2021 Planning & Zoning Commission Meeting  
Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger  
Nays: None  
Absent: Commissioners Cirone, Henschen  
Motion carried

**4. PUBLIC HEARINGS**

**Variance to Rear Yard Setback**

407 Lake Court

Applicant: Barbara Handbury, Property Owner

Project #1109.21

Project Manager: Natalie Zine

Motion: Commissioner Sollinger, second Commissioner Kuhn to open the Public Hearing at 7:02 p.m.

Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioners Cirone, Henschen

Motion carried

Ms. Zine stated the applicant is requesting a recommendation of approval for a Variance in the R-4 General Residence District to allow for a reduction in the rear yard setback from 25' to 13' to allow for the construction of a sunroom addition. Ms. Zine stated the property is located at 407 Lake Court and is also known as Lot 123 of River Run Subdivision Unit 1. Ms. Zine stated the proposed sunroom does not require any additional Variances and is in compliance with all other setbacks and bulk regulations including the maximum lot coverage.

Ms. Zine stated the subject property is not as deep as the neighboring properties in the subdivision and the house was built almost exactly on the setback line, therefore, the property owner cannot make this improvement to the home in the same way that other homes in the neighborhood have. Ms. Zine stated each lot in the subdivision is shaped and sized a little bit differently so it varies who can fit an addition and who cannot. Ms. Zine stated a sunroom was offered as an option by the original developer of the subdivision, so the intent of the subdivision plat was probably not to prevent an addition of this kind.

Ms. Zine stated the sunroom addition is not likely to be detrimental to the neighboring properties as it is surrounded by a common space parcel that acts as a buffer between the subject property and the properties to the north. Ms. Zine stated the angle of the homes on either side of the subject property would likely prevent the addition from being seen at all.

Ms. Zine stated though staff does not believe this request for variation meets the strictest interpretation of the Standards for Variations, it is an improvement to the property and would allow for the addition of a sunroom similar to those constructed on neighboring properties. Ms. Zine stated staff therefore recommends that the Planning and Zoning Commission accept the Findings of Fact and recommend approval of a Variance for a reduction in the rear yard setback from 25' to 13' to allow for the construction of a sunroom addition in the R-4 General Residence District at 407 Lake Court.

Barbara Handbury was sworn in  
Oswego, IL

Ms. Handbury stated she is the petitioner and her project has received approval from her Homeowner's Association. Ms. Handbury stated her nearest neighbors will not even see the sunroom addition. Ms. Handbury stated she is using a quality builder for the project.

Jim Bonebrake was sworn in  
Oswego, IL

Mr. Bonebrake stated he is the President of the Homeowner's Association and that Ms. Handbury's project has received approval from the HOA's Architect Committee and the Board of Directors.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Sollinger, second Commissioner Kuhn to close the Public Hearing at 7:10 p.m.  
Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger  
Nays: None  
Absent: Commissioners Cirone, Henschen  
Motion carried

**Recommendation:**

Motion: Commissioner Sollinger, second Commissioner Kuhn to accept the Findings of Fact and recommend approval of a Variance for a reduction in the rear yard setback from twenty-five (25) feet to thirteen (13) feet to allow for the construction of a sunroom addition in the R-4 General Residence District at 407 Lake Court.  
Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger  
Nays: None  
Absent: Commissioners Cirone, Henschen

Motion carried

## 5. NEW BUSINESS

### **Final PUD and Subdivision Plat for Harvest Gate Pod 8, Phase 2**

Harvest Gate at Southbury

Applicant: Harvest Gate Development LLC

Project #1110.21

Project Manager: Rod Zenner

Director Zenner stated the applicant is requesting approval of a Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 2 to allow for the development of 21 single family residential lots. Director Zenner stated the plat is consistent with the previously approved Preliminary Plat in regard to general lot sizes and layout. Director Zenner stated that Lots 25 through 36 were modified from their original square footages in the Preliminary Plat, resulting in the average lot size for Phase 2 of the development increasing from 7,686 square feet to 7,702 square feet. Director Zenner stated staff is of the opinion that the proposed Final PUD and Subdivision Plat is in substantial conformance to the approved Preliminary Plat and recommends approval.

#### **Recommendation:**

Motion: Commissioner Sollinger, second Commissioner Kuhn to recommend approval of the Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 2

Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioners Cirone, Henschen

Motion carried

## 6. PUBLIC HEARINGS

### **Variance for Parking**

33 Jay Street

Applicant: Jill Richardson on behalf of Real Hope Community Church, Property Owner

Project #1108.21

Project Manager: Natalie Zine

Motion: Commissioner Kuhn, second Commissioner Sollinger to open the Public Hearing at 7:12 p.m.

Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioners Cirone, Henschen

Motion carried

Ms. Zine stated the applicant requests a recommendation of approval for a Variance to reduce the number of off-street parking spaces required for a church in the R-3 Two Family Residence District to allow for no off-street parking spaces at 33 Jay Street.

Ms. Zine stated per the Zoning Ordinance, a church is required to provide one parking space per every three auditorium seats. Ms. Zine stated no building plans have been submitted yet, however the petitioner indicates they don't anticipate having more than 40 members, requiring a minimum of 13 parking spaces including at least one ADA space. Ms. Zine stated the petitioner is requesting to waive the off-street parking requirement, with the exception of one

ADA space on the property, and to allow the church to use on-street public parking instead. Ms. Zine stated the petitioner indicates the church would prefer to use the existing open green space as a community garden and/or a meditation garden. Ms. Zine stated the petitioner also claims that constructing a parking lot on the property would be cost prohibitive to operating their small community church.

Ms. Zine stated there is some public parking currently available near 33 Jay Street: six spaces on Jay, four on Jackson, and 11 on Monroe for a total of 21 parking spaces on the same block, with an additional 13 Park District parking spaces in front of the Little White School Museum, although those spaces are often in use by the park District and the Little White School Museum's programs.

Ms. Zine stated there is a fire hydrant located on the northwest corner of Jefferson and Jay Streets, adjacent to the proposed church. Ms. Zine stated Jefferson Street west of Jay Street, and Jay Street in front of the proposed church are roughly 31' wide, which would restrict on-street parking to one side of the street based on the Village Code. Ms. Zine stated parking would not be allowed on the fire hydrant side, but parking on the opposite side of the street may cause an obstruction of view for vehicles traveling westbound from Park Street due to the curve in the road at the intersection.

Ms. Zine stated the police department has expressed concern with any on-street parking (other than the striped parallel spots) on Jefferson or Jay Streets. Ms. Zine stated the Fire District requires a minimum of 20' of unobstructed roadway to maneuver their engines. Ms. Zine stated presumably, a 31' street minus a 9' parallel parking space still leaves 22' of open unobstructed street, so parking on one side of the street may be possible.

Ms. Zine stated staff is hesitant to recommend approval of this Variance request because the number of needed parking spaces may increase if the congregation grows. Ms. Zine stated staff also understands the financial hardship of constructing a parking lot, however the building itself is going to need substantial upgrades to meet codes and requirements so this location may not be ideal. Ms. Zine stated the applicant is requesting a Variance for an issue of their own making, as there is sufficient space on the property to build a small parking lot, it is just not the church's desired use for the space.

Ms. Zine stated if the Planning and Zoning Commission would like to accept the Findings of Fact and recommend approval for the Variance request to permit a church to provide no off-street parking, staff recommends adding a condition that states that no on-street parking be permitted on Jefferson, Jay, Jackson, or Monroe Streets unless in a Village striped spot and that at least one ADA parking space be provided on site.

Jill Richardson            was sworn in  
Warrenville, IL

Ms. Richardson stated she is the pastor of Real Hope Community Church and that the church currently has 20 members and will not exceed 40 members. Ms. Richardson stated the building will not have extensive remodeling as they don't utilize a stage or altar for their services. Ms. Richardson stated they have one Sunday service at 10:00 a.m. and occasionally have meetings or events on other days. Ms. Richardson stated the church wants to be a good neighbor to the community and would like to utilize the green space for a neighborhood garden and outdoor meditation space, rather than a parking lot with bright lights.

Joe Werth was sworn in  
Oswego, IL

Mr. Werth stated he lives adjacent to the subject property and that the parking issue is of the church's own making as they have the room to provide off-street parking. Mr. Werth stated his concerns regarding safety of children who walk to the neighborhood park, and that on-street parking would negatively alter the character of the neighborhood.

Tia Chowanski-Doty was sworn in  
Oswego, IL

Ms. Chowanski-Doty stated she lives near the subject property and stated her surprise that a church could be situated in a residential district. Ms. Chowanski-Doty stated concerns regarding not having parking in front of her home for visitors, and that she believes it would create a parking hardship for residents on Jay, Jackson, and Jefferson Streets.

Rebecca Stein was sworn in  
Oswego, IL

Ms. Stein stated she lives across the street from the subject property and street parking in that area is already difficult. Ms. Stein stated she does not want a parking lot behind the subject property however, and questioned if the church could contract with the nearby bank for parking instead.

Lisa Bertellotti was sworn in  
Oswego, IL

Ms. Bertellotti stated she lives near the subject property and that she agrees with the previously stated concerns, adding a concern with who would monitor the on-street parking.

Nancy Werth was sworn in  
Oswego, IL

Ms. Werth stated she lives near the subject property and stated her concerns that a building plan for the church has not been filed and that the plans and intentions for the church are still very unknown, that on-street parking would be dangerous for children walking to the neighborhood park, and that the area has already had some bad accidents.

Pam Wood was sworn in  
Oswego, IL

Ms. Wood stated she lives near the subject property and her biggest concerns are curb appeal and that as the church grows, it may cause bigger parking issues. Ms. Wood stated parking for homes in that area is already very limited.

Jill Richardson  
Warrenville, IL

Ms. Richardson responded to some of the concerns that were raised. Ms. Richardson stated if a building plan is needed before the Variance could be accepted, she is willing to table this request to work with an architect. Ms. Richardson stated she spoke with the nearby bank to see if the church members could utilize their empty parking lot on Sunday mornings, but the bank declined due to liability issues. Ms. Richardson stated if the church outgrows 40

members, they will move from this location. Ms. Richardson stated this property had been vacant for eight years and that they will work to improve the current condition of the house.

No additional audience members wished to speak at the public hearing.

Motion: Commissioner Kuhn, second Commissioner Sollinger to close the Public Hearing at 7:57 p.m.  
Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger  
Nays: None  
Absent: Commissioners Cirone, Henschen  
Motion carried

**Commissioner comments:**

Discussion took place regarding the increase of on-street parking would be an unfavorable condition for neighboring homes, the potential danger for children crossing the street, and potential alternative parking options for the church if the Village Board denies the Variance request. The Commission did not find that the request for Variance met all the Standards for a Variance.

**Recommendation:**

Motion: Commissioner McCallum, second Commissioner Kuhn to reject the Findings of Fact and recommend denial of a Variance to reduce the number of off-street parking spaces required for a church in the R-3 Two Family Residence District to allow for no off-street parking spaces at 33 Jay Street.  
Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger  
Nays: None  
Absent: Commissioners Cirone, Henschen  
Motion carried

**7. OLD BUSINESS**

None.

**8. PUBLIC FORUM**

None.

**9. CHAIRMAN'S REPORT**

None.

**10. COMMISSIONERS REPORT**

None.

**11. HISTORIC PRESERVATION COMMISSIONER REPORT**

Jason Hudson was present and stated he is newly appointed to the Historic Preservation Commission and that a committee member will be attending the Planning & Zoning Commission meetings more regularly.

**12. ECO COMMISSION REPORT**

No report.

**13. DEVELOPMENT SERVICES DEPARTMENT REPORT**

None.

**14. OSWEGOLAND PARK DISTRICT REPORT**

No report.

**15. NEXT MEETING - September 9, 2021**

**16. ADJOURNMENT**

Motion: Commissioner Kapus, second Commissioner McCallum to adjourn the Planning and Zoning Commission Meeting.

Ayes: Commissioners Kapus, Kuhn, McCallum, Pajor, Sollinger

Nays: None

Absent: Commissioners Cirone, Henschen

Motion carried

Chairman Pajor adjourned the Planning & Zoning Commission Meeting at 8:09 p.m.

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Mary Ellen Bliss, Recording Secretary