
**THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 24-003**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SINGLE-FAMILY HOME, ON A LOT OF LESS THAN 10 ACRES OF LAND AREA BUT AT LEAST ONE ACRE IN SIZE FOR CERTAIN REAL PROPERTY LOCATED IN THE A-1 AGRICULTURE DISTRICT AT PIN 1605362000190000, MOKENA, ILLINOIS (WITHIN HOMER GLEN CORPORATE LIMITS). [CASE NO. HG-2326-SP]

**CHRISTINA NEITZKE-TROIKE, Village President
CANDICE BIELSKI, Village Clerk**

**Village Trustees
JENNIFER CONSOLINO
DAN FIALKO
CURT MASON
CJ MCNAUGHTON
ROSE REYNDERS
SUSANNA E. STEILEN**

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WHEREAS, the Village of Homer Glen, Will County, Illinois (the “Village”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and,

WHEREAS, an application has been filed by Janina Staszal seeking a Special Use Permit for a Single-family home, on a lot of less than 10 acres of land area but at least one acre in size for certain real property located in the A-1 Agriculture District at PIN 1605362000190000, Mokena, Illinois (within Homer Glen Corporate limits), and,

WHEREAS, the property that is the subject of the aforesaid application and of this Ordinance (“Subject Property”) is legally described in “Exhibit A”; and,

WHEREAS, pursuant to a public notice published in a newspaper of general circulation within the Village as required by the Code of the Village of Homer Glen, the Plan Commission held a public hearing with regard to said application on January 4, 2024, and rendered its findings of fact and recommendations to the Board of Trustees; and,

WHEREAS, the Plan Commission after due consideration of the issues, exhibits and testimony, made findings of fact and a recommendation to the Board of Trustees which are incorporated into the record of its proceedings attached hereto as “Exhibit B” and which include the specific findings as required by §220-1209D of the Code of the Village of Homer Glen; and,

WHEREAS, the Village President and Board of Trustees carefully considered public commentary and the recommendations of the Plan Commission which are incorporated into the record of its proceedings; and,

WHEREAS, the Village President and Board of Trustees, after due consideration have determined that granting a Special Use Permit for a Single-family home, on a lot of less than 10 acres of land area but at least one acre in size for certain real property located in the A-1 Agriculture District at PIN 1605362000190000, Mokena, Illinois (within Homer Glen Corporate limits) is in conformance with the Village’s Comprehensive Plan and in the best interests of the public health, safety and welfare of the Village’s residents; and

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Homer Glen, Will County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. Incorporation of Recitals. That the recitals and findings set forth above and in the recommendation of the Plan Commission, attached hereto as “Exhibit B” are incorporated

herein by reference the same as if they were fully set forth herein verbatim and they are adopted as the findings of the Board of Trustees of the Village of Homer Glen.

Section 2. Special Use Permit. The Village hereby grants a Special Use Permit for a Single-family home, on a lot of less than 10 acres of land area but at least one acre in size for certain real property located in the A-1 Agriculture District at PIN 1605362000190000, Mokena, Illinois (within Homer Glen Corporate limits).

Section 3. Severability. The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

Section 4. Repealer. All Ordinances or portions of Ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval.

Section 6. Notice to Applicant. That the Village Clerk is further directed to forward a copy of this Ordinance to the applicant as notification of the passage and approval of this Ordinance.

Adopted this 24th day of January, 2024 pursuant to a roll call vote as follows:

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>PRESENT</u>
Consolino			X	
Fialko	X			
Mason	X			
McNaughton			X	
Reynders	X			
Steilen	X			
Neitzke-Troiike (Village President)				
TOTAL	4		2	

APPROVED by the Village President on January 24, 2024



Christina Neitzke-Troiike
Village President

ATTEST:


Candice Bielski
Village Clerk

Legal Description – “Exhibit A”

PIN 1605362000190000

LEGAL DESCRIPTION

THE SOUTH 941.32 FEET (EXCEPT THE EAST 922.05 FEET THEREOF) OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, HOMER TOWNSHIP, WILL COUNTY, ILLINOIS, BEING 8.68 ACRES MORE OR LESS.

Findings of Fact – “Exhibit B”
Standards for Special Use Permit

Chapter 220-1209D of the Code of the Village of Homer Glen states the required standards for making findings of fact for a special use (and any amendments thereto). The following are the categories with staff’s suggested findings (*in italics*):

1. That the establishment, maintenance or operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare.

The proposed single-family home will not be detrimental to, or endanger, the public health, safety, morals, comfort or general welfare and will be required to meet all applicable Village Code sections.

2. The proposed use at the proposed location will not have an undue or substantial adverse effect, above and beyond that inherently associated with such use, irrespective of the location in the particular zoning district, upon adjacent property, the character of the neighborhood, or other matters affecting the public health, safety and welfare of the community.

The proposed special use for a single-family home on a lot of less than 10 acres will not have an undue or substantial adverse effect.

3. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

The proposed special use for a single-family home on a lot of less than 10 acres will not be injurious to the use and enjoyment of other properties in the area.

4. The proposed use at the particular location is desirable to provide a service or facility in the interest of public convenience and the gain to the public and all or a part of the community exceeds the hardship imposed upon the property owner.

The proposed single-family home at this location is private and will not be used to provide a service or facility in the interest of the public.

5. The proposed use is generally suitable for the particular zoning district and will not adversely affect development of adjacent properties in accord with the applicable district regulations.

The proposed single-family home on a lot of less than 10-acres is a permitted special use in the A-1 Agriculture District.

6. That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed single-family home will not impede the normal and orderly development and improvement of the surrounding property.

7. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.

The proposed single-family home must meet exterior material requirements or be granted a variance from the Village Board.

8. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.

Adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided.

9. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Adequate measures will be taken to provide ingress and egress for the proposed single-family home.

10. The proposed use has been considered in relation to the location, goals and objectives of the Village's Comprehensive Plan and is in general accord with the guidelines of the plan.

The subject property is designated as Single-Family – Estate in the 2005 Comprehensive Plan. The proposed single-family home on a property in the A-1 Agricultural District is in general conformance with this vision. The proposed special use permit for a single-family home, on a lot of less than 10 acres of land area but at least one acre in size is a permitted special use and is required in order to develop the subject property since it does not meet the minimum 10-acre size requirement for the A-1 District.

Plan Commission Recommendation:

Chairman Hand asked for a motion. Commissioner Foley made a motion to recommend approval for a Special Use Permit for a Single-family home, on a lot of less than 10 acres of land area but at least one acre in size for certain real property located in the A-1 Agriculture District at PIN 1605362000190000, Mokena, Illinois (within Homer Glen Corporate limits). [Case No. HG-2326-SP]? The motion was seconded by Commissioner Bradarich. A roll call vote was taken with Commissioners Stanly, Foley, Fiskow, Bugos-Komperda, Bradarich, Vice-Chair McGary and Chairman Hand voting in favor seven (7) to zero (0). The motion passed and will go before the Village Board on January 24, 2024.

Chairman Hand asked for a motion. Commissioner Foley made a motion to adopt staff's findings as the findings of the Plan Commission. The motion was seconded by Commissioner Bugos-Komperda. A roll call vote was taken with Commissioners Fiskow, Bugos-Komperda, Stanly, Foley, Bradarich, Vice-Chair McGary and Chairman Hand voting in favor seven (7) to zero (0). The motion passed and will go before the Village Board on January 24, 2024.