



PLAN COMMISSION / ZONING BOARD OF APPEALS AGENDA

Thursday, September 28, 2023
6:30 P.M.

Frankfort Village Hall
432 W. Nebraska Street (Board Room)

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes of September 7, 2023 and September 14, 2023 (two separate motions)**
4. **Public Hearing: 83 and 87 Bankview Drive – 4Ever Yoga and Pilates (Ref #108)**
Public Hearing: Special Use Permit for Indoor Recreation (yoga and pilates studio), in the B-2 General Business District (PIN: 19-09-21-208-045-0000).
5. **Public Hearing: 700 Iron Gate Court – Paluri Residence Sports Court (Ref #109)**
Public Hearing: Special Use Permit for a sports court that exceeds 650 square feet in the R-2 Single-Family Residential District (PIN: 19-09-21-121-013-0000).
6. **Workshop: Village of Frankfort Zoning Ordinance Text Amendment – Accessory Structures**
Future Public Hearing Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance regarding accessory structures (Article 5, Section D).
7. **Public Comments**
8. **Village Board & Committee Updates**
9. **Other Business**
10. **Attendance Confirmation (October 12, 2023)**
11. **Adjournment**

All applicants are advised to be present when the meeting is called to order. Agenda items are generally reviewed in the order shown on the agenda, however, the Plan Commission/Zoning Board of Appeals reserves the right to amend the agenda and consider items in a different order. The Commission may adjourn its meeting to another day prior to consideration of all agenda items. All persons interested in providing public testimony are encouraged to do so. If you wish to provide public testimony, please come forward to the podium and state your name for the record and address your comments and questions to the Chairperson.



MINUTES

MEETING OF VILLAGE OF FRANKFORT PLAN COMMISSION / ZONING BOARD OF APPEALS

September 14, 2023 –VILLAGE ADMINISTRATION BUILDING

432 W. NEBRASKA STREET

Call to Order: Chair Schaeffer called the meeting to order at 6:30 PM

Commissioners Present: Nichole Schaeffer (Chair), Will Markunas, Dan Knieriem, Brian James, Jessica Jakubowski, David Hogan

Commissioners Absent: Johnny Morris

Staff Present: Senior Planner Christopher Gruba, Planner Amanda Martinez

Elected Officials Present: None

A. Non-Public Hearing: Plat of Resubdivision of Lots 2 and 3 in Iron Gate Estates

Amanda Martinez presented the staff report.

Chair Schaeffer asked the applicant if they would like to add any additional information. The applicant did not have any additional information or comments to make.

Chair Schaeffer asked the Commissioners if they had any initial comments or concerns. Hearing none, Chair Schaeffer asked for a motion.

Motion (#2): Recommend the Village Board approve the proposed Plat of Resubdivision, which consolidates Lots 2 & 3 in Iron Gate Estates Subdivision, subject to staff approval of any necessary technical revisions prior to recording.

Motion by: Knieriem

Seconded by: Markunas

Approved: (6-0)

B. Public Hearing: 108 Walnut Street – Ruzich Residence (Ref#104) Public Hearing continued from PC/ZBA meeting on September 7, 2023

Christopher Gruba presented the staff report.

Chair Schaeffer asked if the applicants would like to approach the podium.

Jim Sleeman, general contractor, and Gabe Garcia, architect, approached the podium. Jim added that they had reduced one foot from the back of the house since the previous workshop.

Commissioner Knieriem asked if the applicants received feedback from neighbors of the subject property.

Jim Sleeman responded that they had talked to about 8 of the surrounding neighbors and that the neighbors did not have any problems with the proposed plans.

Commissioner James asked staff if the new revisions were accounted into the calculation for the impervious lot coverage.

Christopher Gruba responded yes.

Jim Sleeman added that in this case the porch is also factored into the lot coverage calculation.

Chair Schaeffer suggested that the Commission go through and provide input on each variation.

Commissioners had discussion about the front yard setback and agreed that if the proposed home aligns with the other homes on Walnut Street, they do not see an issue with the variation request for the front yard setback.

Commissioners had discussion about the existing side yard setback and the proposed side yard setback and agreed that the proposed setback is better than the existing one and that they appreciate the applicant making a shift since the last workshop to accommodate the Fire District's feedback.

Commissioner Markunas stated that there was a request at the workshop this case was previously presented at to tie the proposed home's gutters into the storm drain.

Jim Sleeman responded that after the previous workshop, he called Terry Kestel, Superintendent of Public Works, and he was advised that there are no storm drains by the house to be able to tie the gutters into.

Chair Schaeffer stated that the storm sewers are located more to the east. She thanked the applicant for discussing the situation with Terry Kestel and asked staff if there have been any drainage issues in the area.

Christopher Gruba responded that he deferred to Public Works and was told there are not any drainage issues known to be common in the immediate area of the home.

Commissioner Knieriem stated that if the Village is confident that there are no drainage issues in the area, then he is willing to give it a pass, but he would hate to make a problem area worse.

Chair Schaeffer asked if the alley was paved or gravel.

Christopher Gruba responded that the alley is gravel.

Jim Sleeman added that two other lots have the alley paved, but the subject property and the adjacent property have the gravel part of the alley. He stated that he would want to pave the alley if he is allowed to do so.

Commissioner Knieriem suggested that the applicant ask public works first to see if the Village has a preference on the alley being paved or not.

Commissioner James asked if the garage is attached or not because per the design guidelines, the Village wants to see detached garages. He added that a detached garage would probably lead to two less variations that are being requested.

Jim Sleeman responded that the garage is being proposed as an attached garage as he is trying to keep it uniform with the other two houses nearby that he built with attached garages.

Commissioner Knieriem asked if the applicant would be willing to change the garage to be a detached garage.

Gabe Garcia stated that he would have to defer to the homeowners.

Jim Sleeman added that he would prefer to keep it as an attached garage to allow for the homeowners to have an extra parking space and to not have to ask for more variations on setbacks.

Chair Schaeffer asked if the Commissioners are fine with the proposed LP siding material.

Commissioner Jakubowski stated that she is fine with the material since it is consistent with newer homes in the area but would like to see a stone accent on the home.

Commissioner Knieriem agreed that he would like to see a stone accent on the home and suggested lining the porch, wrapping the columns, or having the front walkway be pavers.

Gabe Garcia responded that he is willing to add stone across the front porch, but that landscaping will cover up the stone.

Commissioner Knieriem asked if the applicant would consider adding cobble stone in the walkway and the porch.

Jim Sleeman responded yes, he is willing to put cobblestone in the walkway and porch.

Chair Schaeffer asked if the walkway and porch material should be a condition and asked if Commissioners desired stone anywhere else other than the walkway and porch.

Christopher Gruba responded that a condition to variation request #6 rather than tabling the project would be preferable.

Commissioner Jakubowski stated that she is fine with not having masonry in other places on the home since this is the applicant's design of their custom home.

Chair Schaeffer added that she is fine with the board and batten which breaks up the siding on the elevation.

Commissioners agreed that the proposed bump out, gabled roof, and metal awnings help take away from the boxiness of the home.

Motion (#3): Close the public hearing.

Motion by: Jakubowski

Seconded by: James

Approved: (6-0)

Motion (#4): Recommend the Village Board approve the variation request to permit a front yard setback of 21.8' instead of 30', on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact, conditioned upon preserving the two existing trees within the right-of-way of Walnut Street.

Motion by: Markunas

Seconded by: Hogan

Approved: (6-0)

Motion (#5): Recommend the Village Board approve the variation request to permit a 8.5' north side yard setback instead of 10', on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact.

Motion by: James

Seconded by: Hogan

Approved: (6-0)

Motion (#6): Recommend the Village Board approve the variation request to permit a 4.9' south side yard setback instead of 10', on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact, and conditioned upon the AC unit to be located adjacent to the rear elevation.

Motion by: Jakubowski

Seconded by: Markunas

Approved: (6-0)

Motion (#7): Recommend the Village Board approve the variation request to permit a lot coverage of 36.7%, instead of 20%, on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact.

Motion by: Jakubowski

Seconded by: James

Approved: (5-1)

Motion (#8): Recommend the Village Board approve the variation request to permit an impervious lot coverage of 45.2%, instead of 40%, on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact.

Motion by: James

Seconded by: Hogan

Approved: (4-2)

Motion (#9): Recommend the Village Board approve the variation request to permit non-masonry siding (LP Smart Siding) on the entire 1st floor of the building, instead of masonry, on the property located at 108 Walnut Street, in accordance with the reviewed plans, public testimony, and Findings of Fact, and conditioned upon a cobblestone walkway from the public sidewalk to the home and carried through the porch.

Motion by: Knieriem

Seconded by: Markunas

Approved: (6-0)

C. Public Comments

There were no public comments.

D. Village Board & Committee Updates

There were no Village Board & Committee updates.

E. Other Business

There was no other business discussed.

F. Attendance Confirmation (September 28th, 2023)

Chair Schaeffer asked Commissioners to please let staff know if someone cannot attend the next meeting.

Motion (#10): Adjournment 7:45 P.M.

Motion by: Jakubowski

Seconded by: Hogan

The motion was unanimously approved by voice vote (6-0).

Approved September 28th, 2023

As Presented _____ As Amended _____

_____/s/ Nichie Schaeffer, Chair

_____/s/ Secretary

DRAFT

**9.7.23 PC/ZBA Minutes
to be posted on or
before Tuesday 9.26.23**

Project: 4Ever Yoga and Pilates
Meeting Type: Public Hearing
Requests: Special Use Permit for Indoor Recreation (yoga and pilates studio)
Location: 83 and 87 Bankview Drive
Applicant: Ryan Simmons, Lessee
Prop. Owner: Last Train, LLC
Consultants: None
Representative: Applicant
Report By: Amanda Martinez, Planner

Site Details

Lot Size: ±3.08 acres
PIN(s): 19-09-21-208-045-0000
Existing Zoning: B-2 Community Business District
Prop. Zoning: B-2 Community Business District, with subject tenant spaces requesting a Special Use Permit for Indoor Recreation

Building(s) / Lot(s): One building / One lot

Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Commercial	General Commercial	B-2
North	Commercial	General Commercial	B-2
South	Commercial	General Commercial	B-2
East	Commercial	General Commercial	B-2
West	Single-family Residential	Single-Family Detached Residential	R-2

Figure 1: Location Map



Project Summary

The applicant, Ryan Simmons, a tenant/lessee on behalf of the property owners, Last Train, LLC, has filed an application requesting a Special Use Permit for Indoor Recreation (yoga and pilates studio) in the B-2 Community Business District for the property located at 83 and 87 Bankview Drive, Frankfort, IL 60423 (PIN: 19-09-21-208-045-0000). The Village of Frankfort's Table of Permitted and Special Uses specifies that in order to operate an Indoor Recreation use within the B-2 Community Business District, special use approval is required.

Attachments

1. Aerial Photograph from Will County GIS

2. Site Photographs taken 9.5.23
3. Floor Plan for 83 Bankview Drive received 8.31.23
4. Floor Plan for 87 Bankview Drive received 8.31.23
5. Special Use Findings of Fact provided by applicant and received 8.31.23
6. Special Use Permit Findings of Fact Form for Plan Commissioners

Analysis

In consideration of the request, staff offers the following points of discussion:

Proposed Use

- The subject property is known as Frankfort Plaza, a 28,000 square foot commercial multitenant building located SWC of Lagrange Road and Bankview Drive.
- Existing uses within the subject building include personal services, retail, fast food, indoor recreation, and health clinic/office. Staff notes that a yoga studio was previously located at 91 Bankview Drive (a legal non-conforming use).
- The subject tenant occupies 83, 87, and 91 Bankview Drive within the Frankfort Plaza multi-tenant building. The applicant is requesting Special Use Approval for Indoor Recreation at 83 and 87 Bankview Drive. The applicant intends to occupy 91 Bankview Drive with a personal services use named Anti-Aging Solutions; this type of business is a permitted use in the B-2 Community Business District.
- The applicant is proposing that 83 Bankview Drive be a pilates studio with 10 Pilates Reformer Machines®. The pilates studio will have 3-4 trainers and will hold a class size of 10 people. The applicant anticipates that there will also be one-on-one pilates training, but many classes will be group classes.
- The applicant is proposing that 87 Bankview Drive be a yoga studio; the studio would not have any machines or equipment other than the typical items for a yoga class such as yoga mats, yoga blocks, and cleaning supplies. The yoga studio will have 3-4 trainers and will hold a class size of approximately 10 people.
- 83 Bankview Drive measures 57'6" by 19'1" and is 1100 sq ft. 87 Bankview Drive measures 24'1" by 34'4" and is 598 sq ft.
- The tenant plans on renovating 83 and 87 Bankview Drive by painting walls, adding mirrors to walls, adding a doorway between the two units, and adding a 4-foot partial wall that will start from the main door of 87 Bankview Drive to the door that will be in between the two units.
- The proposed hours of operation are every day from 7:00 a.m. to 9:00 p.m. The classes held will be from 7:00 a.m. to 8:00 p.m.
- The applicant has agreed to a 15-minute break in between the offered yoga and pilates classes. Staff included the 15-minute break as a condition to approval of the Special Use Permit to ensure there is sufficient parking space turnover in the subject plaza's parking lot.

Parking

- Zoning Ordinance Article 7 Section B, which regulates the Village's Off-Street Parking requirements, states that a health and athletic club shall provide one-half (0.5) space per exercise station; plus, one (1) space per 1,000 square feet of activity area; plus, one (1) space per employee for the work shift with the largest number of employees. Given that the applicant is proposing ten (10) Pilates Reformer Machines®, approximately 600 square feet of activity space, and four (4) employees during peak hours, the proposed Indoor Recreation use would require 12 total parking spaces.

- There are 150 parking spaces provided at the subject site. Given that there is shared parking on-site and several appointment-based businesses, it is staff's opinion that the existing parking at Frankfort Plaza is adequate for the proposed yoga and pilates studio.
- Article 7 Section B Part 5, which discusses adjustments to required parking, states the following:

Adjustments. In all business and industrial districts, the minimum number of required parking spaces may be adjusted by the Plan Commission on a case-by-case basis. The petitioner for such an adjustment shall show to the satisfaction of the Plan Commission that adequate parking will be provided for customers, clients, visitors, and employees. The following provisions and factors shall be used as a basis to adjust parking requirements:

1. Evidence That Actual Parking Demands will be Less Than Ordinance Requirements. The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the Ordinance requires.

2. Availability of Joint, Shared or Off-Site Parking. The petitioner shall submit written documentation to the satisfaction of the Plan Commission that joint, shared or off-site parking spaces are available to satisfy the parking demand.

- Staff provides the below parking analysis for the subject site with the proposed use emphasized:

TENANT SPACE(S) (FROM WEST TO EAST OF THE SUBJECT BUILDING)	BUSINESS NAME (WITH USE CLASSIFICATION FOR PARKING CALCULATION)	UNIT (SQ. FT.)	PARKING SPACES REQUIRED (WITH USE PARKING CALCULATION)
107	Buzzes and Beehives (personal services)	1500	11 (1 per 200 sq. ft.; plus 1 per employee)
103	Seattle Sutton's Healthy Eating (business establishment)	1200	7 (1 per 250 sq. ft.; plus 1 per employee)
99	Photo Studio (business establishment)	1500	8 (1 per 250 sq. ft.; plus 1 per employee)
95	Kumon (business establishment)	2140	11 (1 per 250 sq. ft.; plus 1 per employee)
91	Anti Aging Solutions LLC (personal services)	2270	13 (1 per 200 sq. ft.; plus 1 per employee)
87 and 83	4Ever Yoga and Pilates (health and athletic club)	1700	12 (0.5 per exercise station; plus 1 per 1,000 sq. ft. of activity area; plus 1 per employee)

79, 75, and 71	Action Sports (business establishment)	4000	20 (1 per 250 sq. ft.; plus 1 per employee)
67	Classical Martial Arts Academy (“other indoor recreation”)	1200	5 (1 per 4 patrons based on facility capacity; plus 1 per employee)
63	Mickey’s Gyros (restaurant, fast food)	1500	23 (1 per 75 sq. ft.; plus 1 per 2 employees)
59	Yarns To Dye For (business establishment)	1200	7 (1 per 250 sq. ft.; plus 1 per employee)
55	Minuteman Press (business establishment)	1500	8 (1 per 250 sq. ft.; plus 1 per employee)
51, 47, and 43	ATI Physical Therapy (health clinic/office)	3800	23 (3 per exam room; plus 1 per employee)
39 and 35	Sports & Spine Chiropractic (health clinic/office)	3000	12 (3 per exam room; plus 1 per employee)
31	WeFix (personal services)	1200	7 (1 per 250 sq. ft.; plus 1 per employee)
TOTAL SPACES REQUIRED			167
TOTAL SPACES PROVIDED			150

Standards for Special Uses

Article 3, Section B, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use request. No special use shall be recommended by the Plan Commission, unless such Commission shall find:

- a. 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.
- b. 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.
- c. 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.
- d. 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.

- e. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
- f. 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.
- g. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

Affirmative Motion

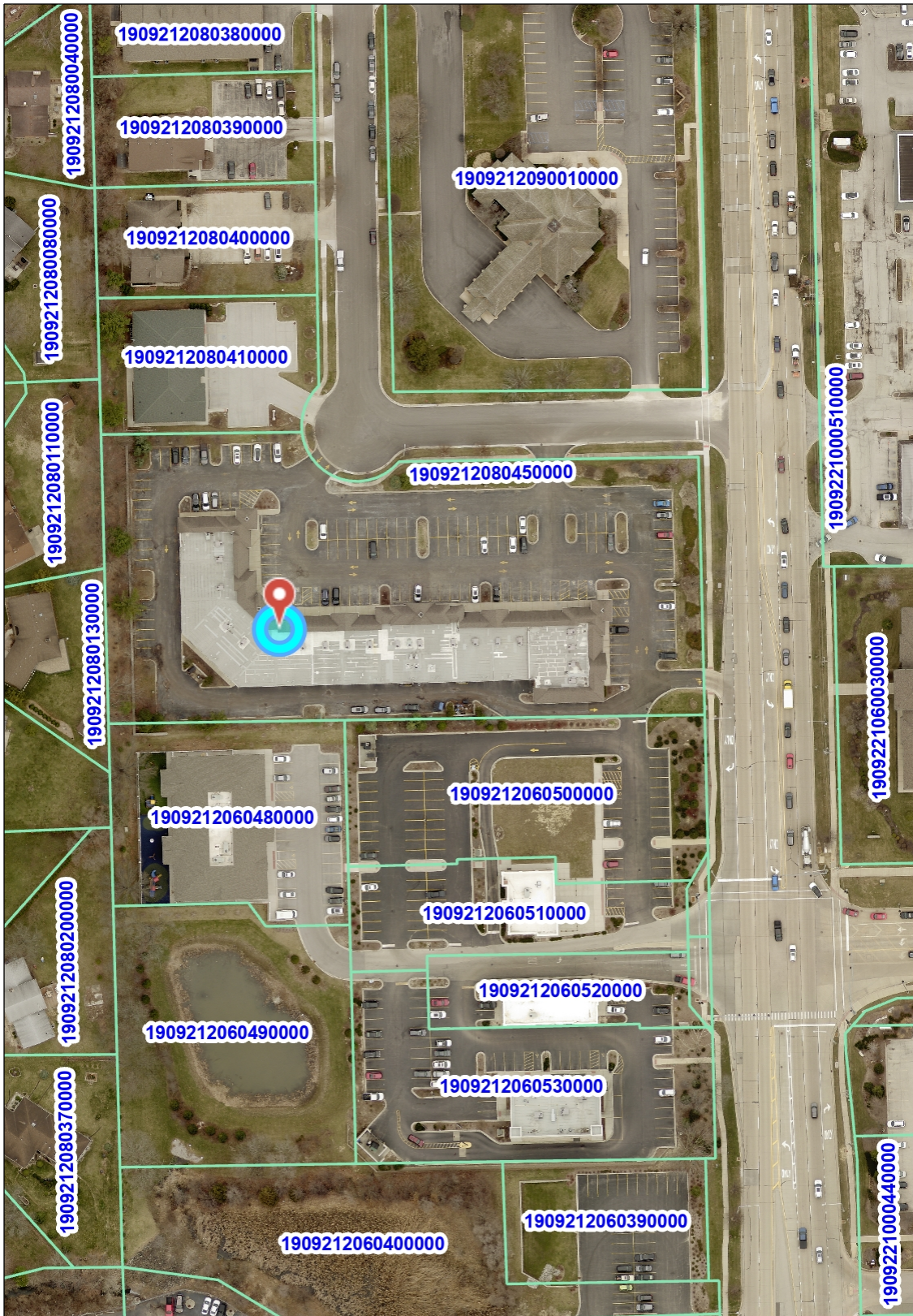
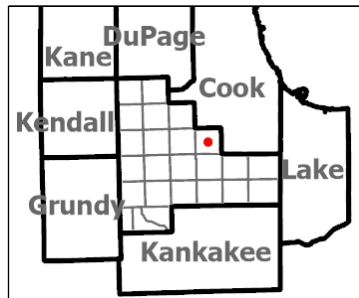
For the Plan Commission's consideration, staff is providing the following proposed affirmative motion for the special use request:

Recommend the Village Board approve a Special Use Permit for Indoor Recreation (yoga and pilates studio) in the B-2 Community Business District for the property located at 83 and 87 Bankview Drive, Frankfort, IL 60423 (PIN: 19-09-21-208-045-0000), in accordance with the submitted plans, public testimony, and Findings of Fact, subject to the following two (2) conditions:

1. The applicant shall obtain a Business License; and
2. The business shall implement a minimum 15-minute break in between classes to accommodate parking space turnover.



83 and 87 Bankview Drive



Legend

- Parcels
- Townships

Notes

Date: 9/14/2023

1: 2,257

0 0.04 0.07 Miles

Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

View from Bankview Drive:



View from La Grange Road:



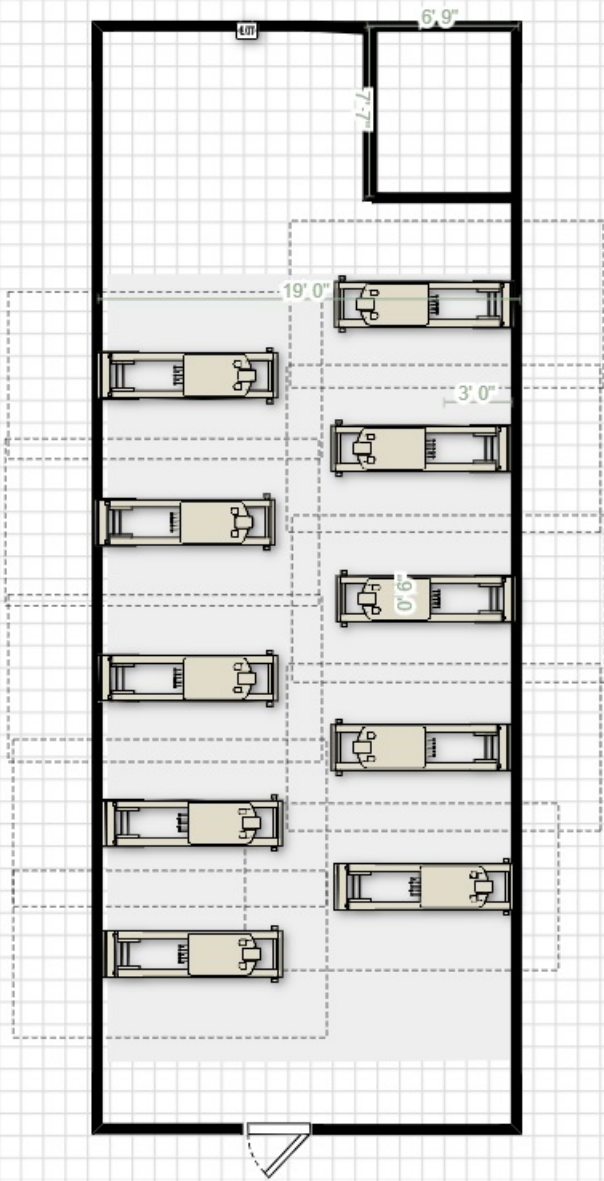
View of Parking Located in the Interior Side Yard:



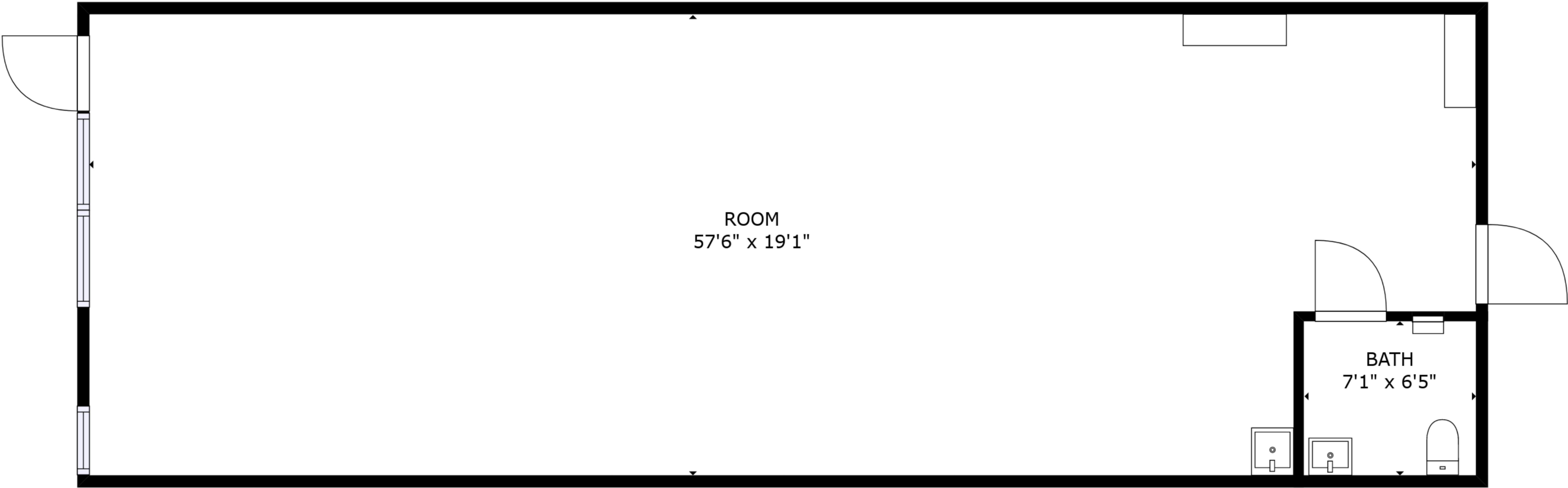
View of 83 and 87 Bankview Drive, located in between Action Sports and 91 Bankview Drive (91 Bankview Drive is just left of Kumon):



83 Bankview Drive
Floor Plan (Pilates Studio)

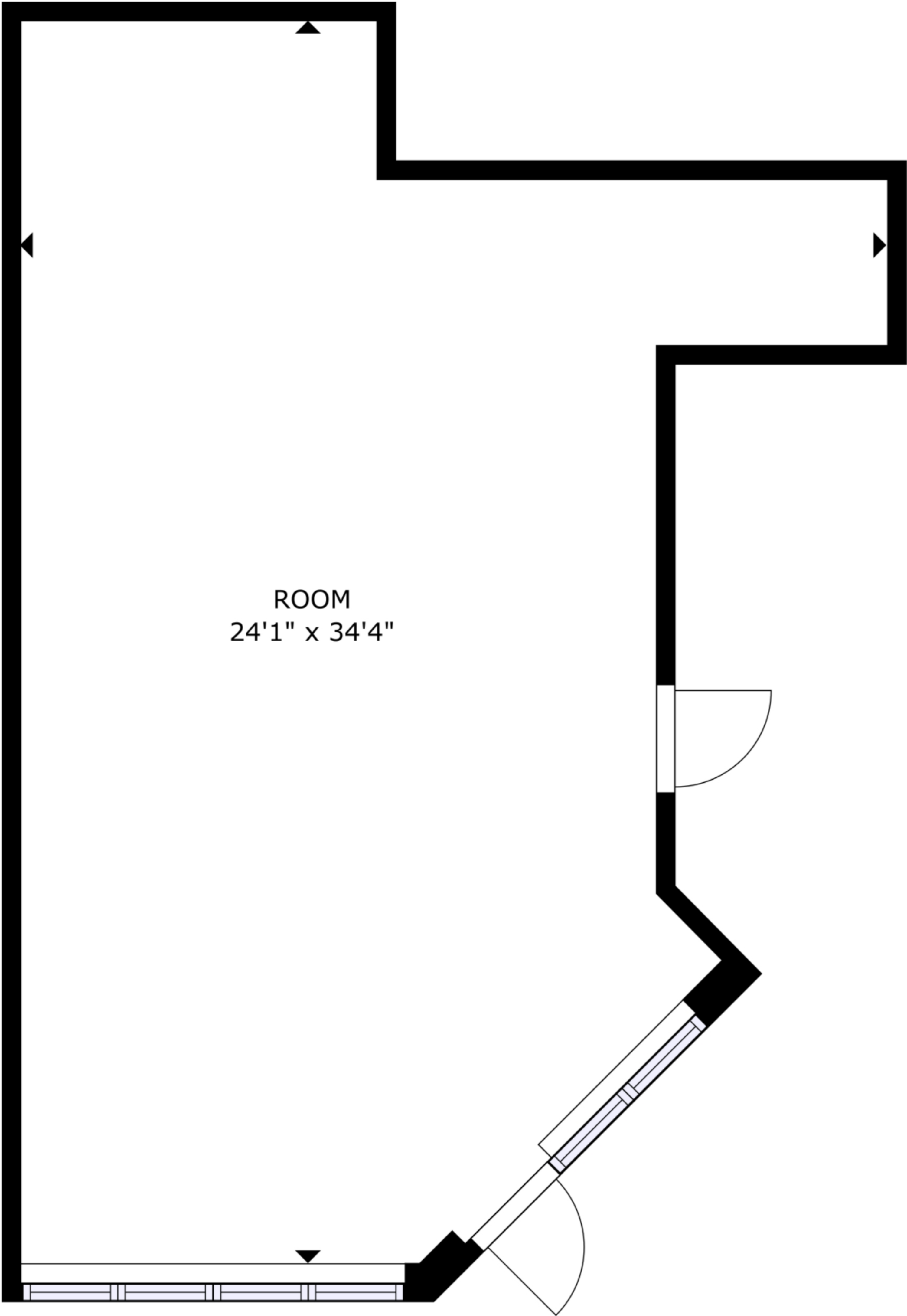


83 Bankview Drive
Floor Plan (Pilates Studio)



FLOOR 1

87 Bankview Drive
Floor Plan (Yoga Studio)



ROOM
24'1" x 34'4"

GROSS INTERNAL AREA
FLOOR 1: 598 sq ft
TOTAL: 598 sq ft
SIZES AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.

RECEIVED
By Amanda Martinez at 3:54 pm, Aug 30, 2023



Application for Plan Commission / Zoning Board of Appeals Review
Special Use Permit Findings of Fact

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. The Plan Commission must make the following seven findings based upon the evidence provided. To assist the Plan Commission in their review of the special use permit request(s), please provide responses to the following “Findings of Fact.” Please attach additional pages as necessary.

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.
No it will not be detrimental in any way.

2. 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.
No it will not be injurious in any way.

3. 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.
No it will not impede in any way

4. 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.
No changes at all will be made to the exterior structure

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

6. 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.

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

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

the applicable regulations of the district

in which it is located, except as such regulations may, in each instance, be modified by the Village

Board, pursuant to the recommendations of the Plan Commission



Findings of Fact Commissioner Evaluation Form - Special Use Permit

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. No special use shall be recommended by the Plan Commission unless all the following findings are made.

	STANDARD	NOTES	MEETS	
a.	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.		YES	NO
b.	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.		YES	NO
c.	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.		YES	NO
d.	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.		YES	NO

e.	That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.		YES	NO
f.	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.		YES	NO
g.	That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.		YES	NO

Project: Paluri Residence Sports Court
Meeting Type: Public Hearing
Request: Special Use for a Sports Court Exceeding 650 SF
Location: 700 Iron Gate Court
Subdivision: Iron Gate Estates
Applicant: Kishore Paluri
Prop. Owner: Applicant
Representative: Applicant
Report by: Amanda Martinez, Planner

Site Details

Lot Size: 17,936 SF
PIN(s): 19-09-21-121-013-0000
Existing Zoning: R-2
Prop. Zoning: N/A
Buildings / Lots: 1 Building; 1 Lot
Total SF: 17,936 SF lot/3,059 SF home/1,181 SF Sport Court
Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Single-family Residential	Single-Family Detached Residential	R-2
North	Single-family Residential	Single-Family Detached Residential	R-2
South	Single-family Residential	Single-Family Detached Residential	R-2
East	Single-family Residential	Single-Family Detached Residential	R-2
West	Single-family Residential (detention pond)	Single-Family Detached Residential	R-2

Figure 1. Location Map



Project Summary

The applicant, Kishore Paluri, is requesting Special Use approval to permit the construction of a 1,181 square foot concrete sports court (pickleball court) in the rear of the home located at 700 Iron Gate Court. The Village of Frankfort Zoning Ordinance limits permitted by-right sports courts to a maximum size of 650 square feet and subjects any sports court larger than 650 square feet in size to special use approval. The subject parcel is a 17,936 square foot corner lot identified as Lot 1 in Iron Gate Estates Subdivision. The subject parcel is located at the northwest corner of Iron Gate Court and Colorado Avenue, the corner of the subdivision's entrance.

The Plan Commission held a workshop for the Special Use Permit request at its August 24, 2023 meeting. The Commissioners gave feedback on the size of the proposed sports court and the proposed screening measures and raised concerns about noise and visibility. The applicant has made the following changes since the August 24, 2023 workshop meeting:

- The applicant revised the proposed square footage from 1,253 square feet to 1,181 square feet to create space for construction of a fence (simultaneously changed total impervious surface coverage from 39.98% to 39.89%).
- The applicant previously proposed on the landscape plan a row of evergreen plantings in which the Densi Yews along Colorado Avenue would be planted at 2 feet in height. The applicant revised the landscape plan to replace the Densi Yews with Emerald Arborvitaes which would be planted at 4 feet in height.
- The applicant previously proposed on the landscape plan an optional privacy fence. The applicant removed the word “alternative” per Commissioners’ feedback to have both a fence and plantings. The applicant also changed fence from a 5-foot cedar privacy fence to a 4-foot wrought iron open-style fence.

Attachments

- 2022 Aerial Photograph from Will County GIS
- Plat of Survey received on 8.1.23
- Site Visit Photographs taken 8.11.23
- Sport Court Proposal on a Detailed Grading Plan, prepared by Martin M. Engineering, Inc. received on 9.12.23
- Landscaping Proposal on a Detailed Grading Plan, prepared by GC Designs received on 9.14.23
- Photo Renderings, prepared by GC Designs received on 9.1.23
- HOA Approval Letter received on 8.14.23
- Photo Examples of Properties with Approved Sports Courts

Analysis

In consideration of the request, staff offers the following points of discussion:

- The applicant is seeking to construct a singular 1,181 square foot concrete sports court (pickleball court) behind the home located at 700 Iron Gate Court within the Iron Gate Estates Subdivision.
- The Iron Gate Estates Subdivision consists of 9 residential lots. Of those 9 lots, only 3 have homes currently built on them. To the east of the subject parcel is Outlot 11, which is reserved for the subdivision’s detention pond.
- Article 5, Section C, Part 40 of the Village Ordinance regulates the construction of sports courts with the following specific use standards:
 - *One (1) sports court is permitted per lot.*
 - *Sports courts shall be located in the rear yard only.*
 - *Sports courts shall be set back at least 10’ from any side or rear property line.*
 - *Total impervious coverage of the lot shall not exceed the limitations of the zoning district as defined in Article 6.*
 - *Screening: If the fencing provided is anything other than solid fencing, the sports court shall be effectively screened from view from outside the lot by densely planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above the ground.*
 - *Sports courts shall not be illuminated.*
 - *No more than 1 goal, basketball or otherwise, are permitted per sports court.*
 - *No appurtenances shall exceed fifteen (15) feet in height.*

- The required 10-foot setbacks for sports courts mentioned in Article 5, Section C, Part 40 have been met in the submitted proposal.
- The maximum lot coverage permitted is 20% for the R-2 Single-Family Residential District. Per the Village Ordinance's definition of lot coverage, sports courts do not count towards this calculation.
- The maximum impervious coverage percentage permitted is 40% for the R-2 Single-Family Residential District. The proposed impervious coverage percentage for the subject property, which includes the proposed 1,181 square foot sports court, is 39.89% (7,155 square feet) which complies with the maximum threshold for impervious surface.
- Per Article 5, Section C, Part 40, the illumination of sports courts is strictly prohibited. The applicant has stated that no lighting will be installed.
- Per Article 5, Section C, Part 40, appurtenances on the sports court are limited to 15 feet in height. The net for the pickleball court would be approximately 3 feet in height. The applicant also seeks to install a basketball hoop at one end on the court that would be approximately 12.5 feet in height. Both appurtenances comply with the 15-foot maximum.
- The applicant is proposing to construct retaining walls on north and west areas of the sports court that will have a concrete top to blend with the court and will be no more than 2.5 feet tall. The retaining walls occupy approximately 25 square feet of the sports court area.
- Staff notes that the Code states if plantings or fencing encroaches into the corner side yard or front yard, the maximum height shall be 4 feet (additionally, 50% of the square footage of the overall dimensions of the fence shall be open). In this case, the proposed plantings would encroach the 30-foot setback from Colorado Avenue in which the limitation of 4 feet in height would apply.
- The Final Plat for the Iron Gate Estates Subdivision notes that there shall be no fence allowed within the south 30 feet of Lot 1. The applicant worked with staff to ensure that the proposed fence would not be proposed within the south 30-feet. The applicant decreased the south side of the sports court by one foot to accommodate the proposed fence. This revision changed the square footage of the proposed sports court from 1,253 to 1,181 square feet.
- The applicant is proposing a row of evergreen planting material and a fence to screen the sports court. The submitted landscape plan shows 40 arborvitae. There are 24 Green Giant Arborvitae proposed along the north and west perimeters of the sports court that will be planted at 6 feet in height. There are 16 Emerald Arborvitae proposed along the south perimeter of the sports court (along Colorado Avenue) that will be planted at 4 feet in height. The submitted landscape plan notes that a 4-foot wrought iron fence will also be bordering the sports court's north, west, and south perimeters. The fence will be a total of 97 linear feet.
- The applicant received a Homeowner's Association approval letter for the sports court project (including approval for the sports court layout, fencing and planting options, and a sprinkler system for the adjacent lawn area) on 8.13.23. The HOA approval letter is attached to the staff report.
- Staff notes that this is the first sports court request since the zoning text amendment that was approved on March 7, 2022, which changed the scope of how the Village has been reviewing sports court requests. Prior to the zoning text amendment, sports courts were considered an accessory structure limited to 144 square feet which meant the Village was reviewing sports courts as a variation request to permit a larger size for an accessory structure. The existing Code now states that sports courts are considered a permitted use if less than 650 square feet and a special use if more than 650 square feet.
- For reference, the following properties previously requested and were granted a variation to permit construction of a sports court (photos of the below listed properties are attached to the staff report packet):

- *Ord 3349 (approved in 2022); 625 SF sports court located at 22960 Hankins Court (no photo available)*
- *Ord 2002 (approved in 2003); 1288 SF sports court located at 21271 Georgetown Road*
- *Ord 2008 (approved in 2003); 1200 SF sports court located at 21222 Plank Trail Drive*
- *Ord 2938 (approved in 2003); 625 SF sports court located at 7949 Big Buck Trail*
- *Ord 2908 (approved in 2014); 1,800 SF sports court located at 22635 Oakfield Drive*
- *Ord 2877 (approved in 2013); 1,500 SF sports court located at 23180 Sunburst Point*
- *Ord 2613 (approved in 2009); 624 SF sports court located at 20025 Aine Drive*
- *Ord 2573 (approved in 2009); 700 SF sports court located at 20195 LaPorte Meadows*
- *Ord 2039 (approved in 2003); 3,375 SF sports court located at 340 South Walnut Ridge Court (no photo available)*

Standards for Special Uses

Article 3, Section B, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use request. No special use shall be recommended by the Plan Commission, unless such Commission shall find:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
- f. 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.
- g. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

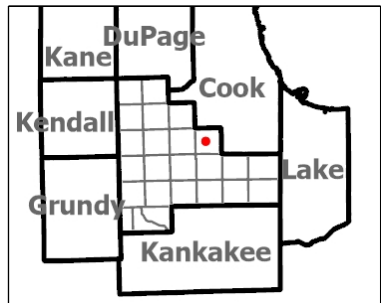
Affirmative Motion

For the Commission’s consideration, staff provides the following proposed affirmative motion language for the Special Use Permit request.

- Recommend the Village Board approve a Special Use Permit to construct a 1,181 square foot sports court for the property located at 700 Iron Gate Court (PIN: 19-09-21-121-013-0000), in accordance with the reviewed plans, public testimony, and Findings of Fact.



700 Iron Gate Court



Legend

- Parcels
- Townships

Notes

Date: 8/14/2023

1: 2,257



0

0.04

0.07 Miles



Projection

WGS_1984_Web_Mercator_Auxiliary_Sphere

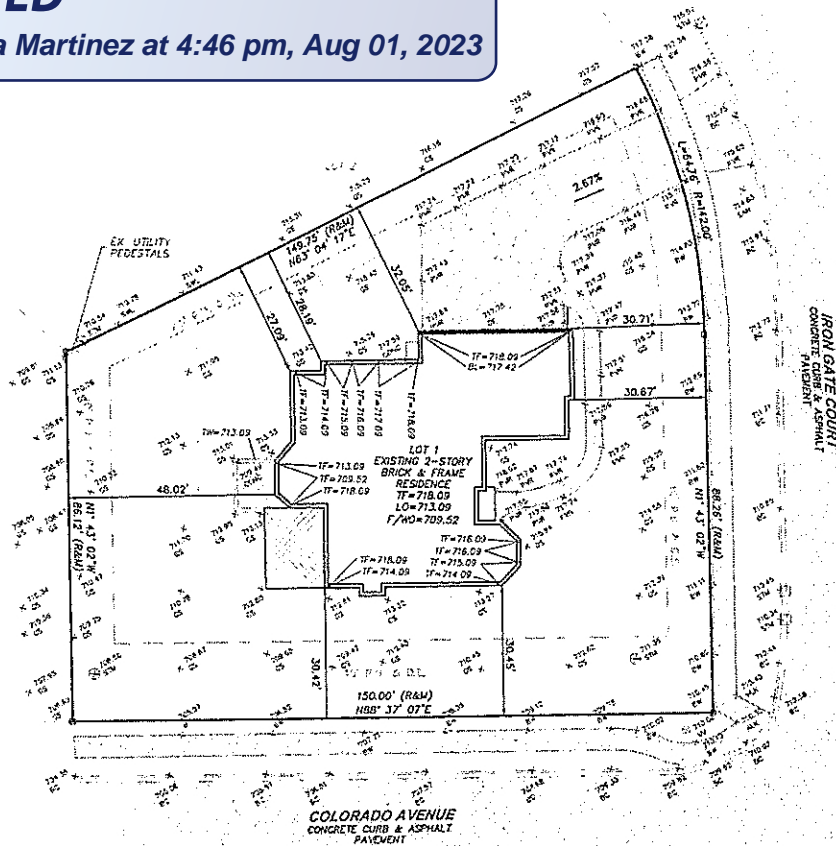
Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

PLAT OF SURVEY

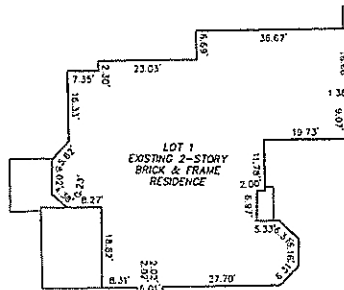
LOT 1 IN IRON GATE ESTATES, BEING A SUBDIVISION OF PART OF THE NORTH WEST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 5, 2017 AS DOCUMENT NO. R2017-069838, AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 20, 2017 AS DOCUMENT NO. R2017-074869, IN WILL COUNTY, ILLINOIS.

RECEIVED

By Amanda Martinez at 4:46 pm, Aug 01, 2023



BUILDING DIMENSIONS



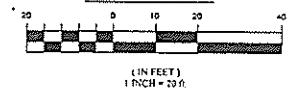
LEGEND

- FOUND IRON ROD
- FOUND IRON PIPE
- ✚ FOUND CROSS IN CONCRETE
- BOUNDARY LINE
- - - ADJACENT PROPERTY LINE
- - - ON-SITE STRUCTURE LINE
- - - OFF-SITE STRUCTURE LINE
- - - CENTER LINE
- - - RIGHT-OF-WAY LINE
- - - BUILDING SETBACK LINE
- - - EXISTING EASEMENT LINE
- - - SANITARY SEWER
- - - STORM SEWER
- CATCH BASIN
- OPEN LID MANHOLE
- CLOSED LID MANHOLE
- DRAIN
- STREET LIGHT
- WATER MASH
- VALVE
- HYDRANT
- EXISTING UTILITY POLE
- EXISTING D-BOX
- - - EXISTING FENCE

SURFACE LEGEND

- EXISTING BITUMINOUS PAVEMENT
- EXISTING PAVING
- EXISTING CONCRETE PAVEMENT
- EXISTING DECK/COVERED PORCH

GRAPHIC SCALE



STATE OF ILLINOIS }
COUNTY OF WILL }

I, BRIAN MALONE, CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

MOKENA, ILLINOIS, NOVEMBER 29, 2022.

B. Malone
LICENSE EXPIRES 11/30/24
PROFESSIONAL LAND SURVEYOR NO. 035.003974

COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCES AT ONCE. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, CONTRACT, TITLE POLICY, ZONING ORDINANCE, ETC.



BENCHMARK

"X" MARKED ON THE BACK OF CURB NEAR THE EXTENSION OF THE NORTH LINE OF LOT 1.
ELEV. = 716.90

PROPERTY ADDRESS

700 IRON GATE COURT
FRANKFORT, IL

ABBREVIATIONS:

- P.U.D.E. PUBLIC UTILITY & DRAINAGE EASEMENT
- B.S.L. BUILDING SETBACK LINE
- T.F. TOP OF FOUNDATION
- G.F. GARAGE FLOOR
- L.O. LOOK OUT
- W.O. WALK OUT
- W.W. WINDOW WELL
- D.S. DROP SIDING
- B.L. BRICK LEDGE
- S.P. SUMP PUMP

MARTIN M. Engineering, Inc.

SITE DESIGN CIVIL ENGINEERS & SURVEYORS

20123 OAKWOOD DRIVE

MOKENA, ILLINOIS 60448

VOICE: (708) 955-1323

FAX: (708) 955-1324

LICENSE NO. 184.005285-0010

ORDERED BY: MALLOW CONSTRUCTION GROUP
SCALE: 1"=20' JOB NO. 21-174; FINAL GRADING SURVEY
BASIS OF BEARINGS: APPROVED PLAT FOR IRON GATE ESTATES

Site Photographs of 700 Iron Gate Court (taken 8.1.23)

Looking at the Rear/Corner Side Yard from Colorado Ave.:



Looking at the Front of the Home from Iron Gate Court:



Looking at the Front of the Home/Driveway from Iron Gate Court:



DETAILED GRADING PLAN

LOT 1 IN IRON GATE ESTATES, BEING A SUBDIVISION OF PART OF THE NORTH WEST 1/4 OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 5, 2017 AS DOCUMENT NO. R2017-069838, AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 20, 2017 AS DOCUMENT NO. R2017-074869, IN WILL COUNTY, ILLINOIS.

NOTES:

EROSION CONTROL

TO BE APPLIED PER THE ILLINOIS URBAN MANUAL, LATEST EDITION. SEDIMENT & EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES. THE SEDIMENT & EROSION CONTROL MEASURES SHALL BE PROPERLY MAINTAINED THROUGHOUT THE PROJECT & SHALL REMAIN IN PLACE UNTIL THE FINAL VEGETATED COVER HAS BEEN ESTABLISHED AND/OR PERMANENT EROSION CONTROL MEASURES HAVE BEEN INSTALLED. ANY SEDIMENT & EROSION CONTROL MEASURES THAT ARE REMOVED, AS A RESULT OF ANY CONSTRUCTION ACTIVITIES, MUST BE PROPERLY REINSTALLED PRIOR TO THE END OF EACH DAY.

CONSTRUCTION ACCESS SHALL BE LIMITED TO THE PROPOSED CONSTRUCTION ENTRANCE, AS IDENTIFIED ON THE APPROVED SITE/GRADING PLAN.

CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS PRIOR TO STARTING CONSTRUCTION TO DETERMINE IF ANY CONFLICTS EXIST. THE DESIGN ENGINEER MUST BE NOTIFIED PRIOR TO START OF CONSTRUCTION. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCES AT ONCE. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, CONTRACT, TITLE POLICY, ZONING ORDINANCE, ETC

ANY DIRT, STONES, OR DEBRIS TRACKED ONTO PUBLIC SIDEWALKS OR STREETS SHALL BE REMOVED BY THE END OF EACH WORKDAY.

FOR UNDERGROUND UTILITY LOCATIONS AND PRIOR TO ANY CONSTRUCTION, CONTACT J.U.I.E., TOLL FREE 1-800-892-0123.

THE EXISTING UTILITY AND DRAINAGE EASEMENTS SHALL BE RESTORED TO THE EXISTING CONDITION ONCE THE CONSTRUCTION HAS BEEN COMPLETED. ANY DAMAGE TO THE ROAD, DRIVEWAY, CURB, PARKWAY, OR SIDEWALK SHALL BE RESTORED, AT THE PERMITTEE'S COST, IN A TIMELY MANNER.

EXISTING TOPOGRAPHY WAS PERFORMED DURING THE FINAL GRADING SURVEY PRIOR TO LANDSCAPING BEING PLACED ON 11/29/22.

SITE BENCHMARK

"X" MARKED ON THE BACK OF CURB NEAR THE EXTENSION OF THE NORTH PROPERTY LINE
ELEV.=716.90

BUILDER:
GC DESIGNS

FINISHED GRADE=(SEE PLANS)

12"x12" NDS
1200 SQUARE
YARD INLET W/
1200FF CATCH
BASIN FILTER

6" PVC @
1.00%

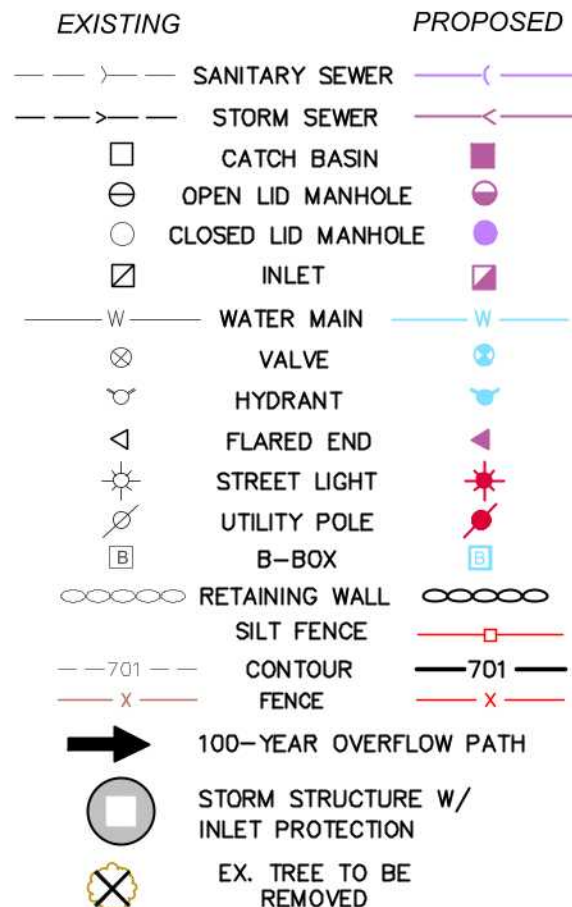
NOTES:

1. NDS YARD INLETS CAN BE OBTAINED AT HOME DEPOT & LOWES HARDWARE STORES. FOR ADDITIONAL INFORMATION ON ORDERING NDS SQUARE YARD INLETS AND ACCESSORIES, PLEASE REFER TO WWW.NDSPRO.COM

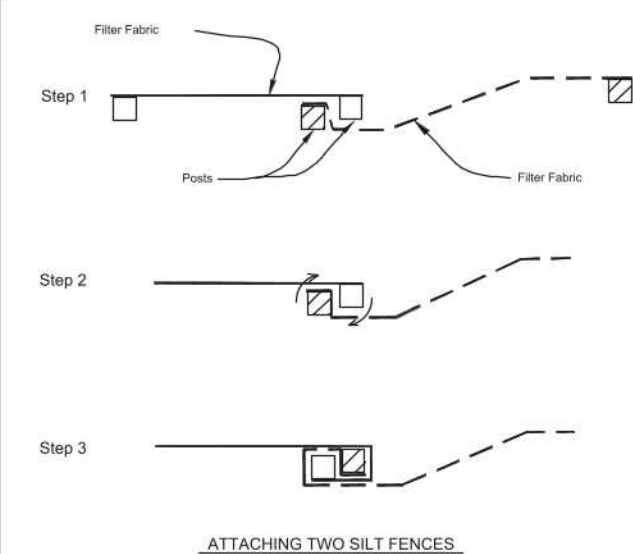
PROPOSED YARD INLET

NOT TO SCALE

LEGEND FOR OBJECTS



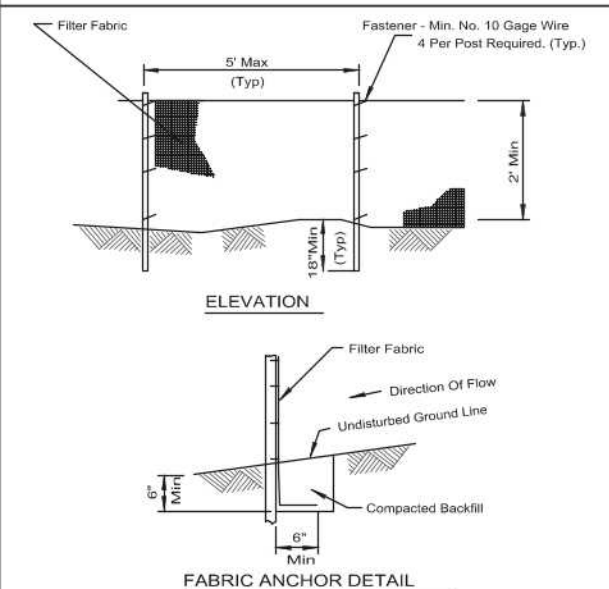
SILT FENCE PLAN



- NOTES:
1. Place the end post of the second fence inside the end post of the first fence.
 2. Rotate both posts at least 180 degrees in a clockwise direction to create a tight seal with the fabric material.
 3. Drive both posts a minimum of 18 inches into the ground and bury the flap.



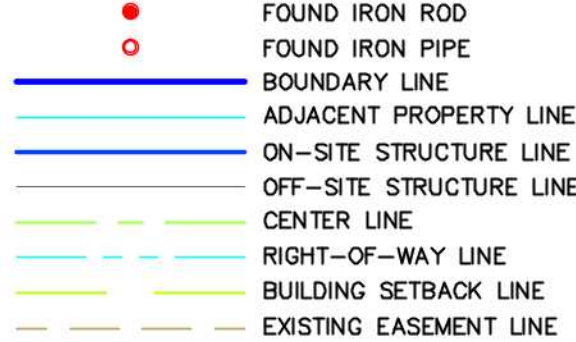
SILT FENCE PLAN



- NOTES:
1. Temporary sediment fence shall be installed prior to any grading work in the area to be protected. They shall be maintained throughout the construction period and removed in conjunction with the final grading and site stabilization.
 2. Filter fabric shall meet the requirements of material specification 692 Geotextile Table 1 or 2, Class 2, with equivalent opening size of at least 30 for nonwoven and 50 for woven.
 3. Fence posts shall be either standard steel post or wood post with a minimum cross-sectional area of 3.0 sq. in.

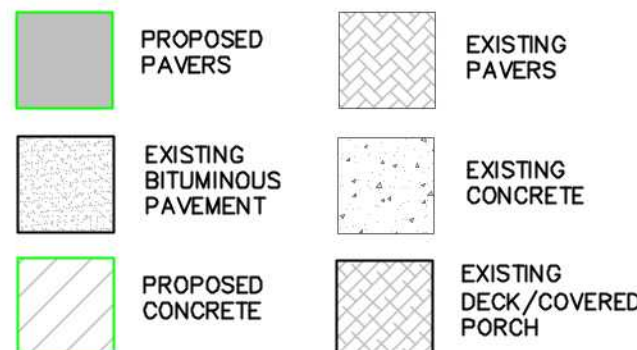


LEGEND FOR SURVEY LINES



NOTE: THE PROPOSED LANDSCAPING WALLS SHALL HAVE A MAX HEIGHT=2.50'. THE WALLS HAVE BEEN SHOWN FOR GRADING PURPOSES ONLY & SHALL BE DESIGNED BY OTHERS. MARTIN M. ENGINEERING, INC. MAKES NO REPRESENTATION AS TO THE STRUCTURAL DESIGN OF THE PROPOSED RETAINING WALLS.

PAVEMENT LEGEND



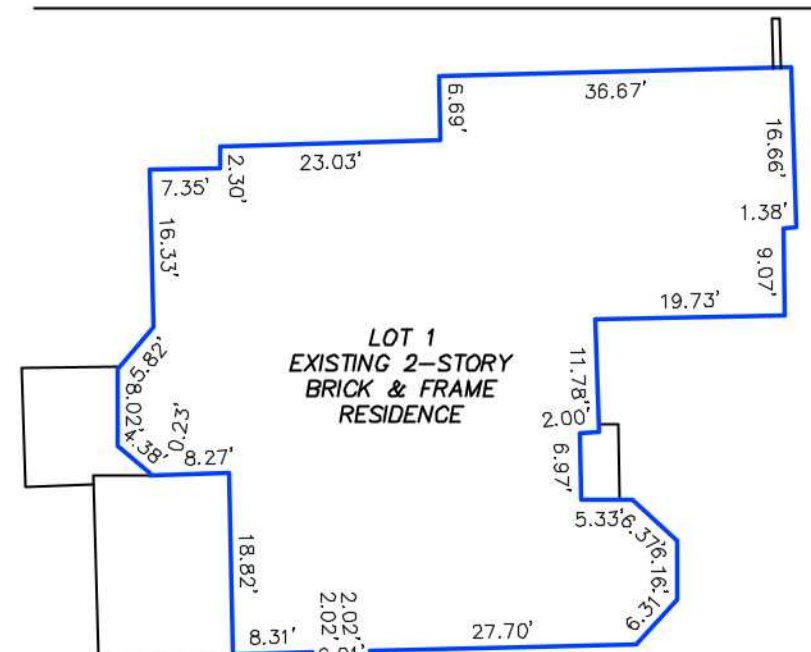
LOT COVERAGE

LOT AREA	= 17,936 SF
PRIMARY BUILDING	= 3,059 SF
BUILDING COVERAGE	= 17.06%
EX. PAVER DRIVE	= 1,580 SF
EX. COVERED PORCH	= 30 SF
EX. COVERED PATIO	= 265 SF
EX. WALLS	= 28 SF
EX. PAVER WALKS	= 270 SF
EX. CONCRETE	= 112 SF

EX. COVERAGE	= 5,344 SF (29.79%)
PR. PAVERS	= 527 SF
PR. SPORT COURT	= 1,181 SF
PR. WALLS	= 47 SF
PR. CONCRETE STEPPERS	= 56 SF

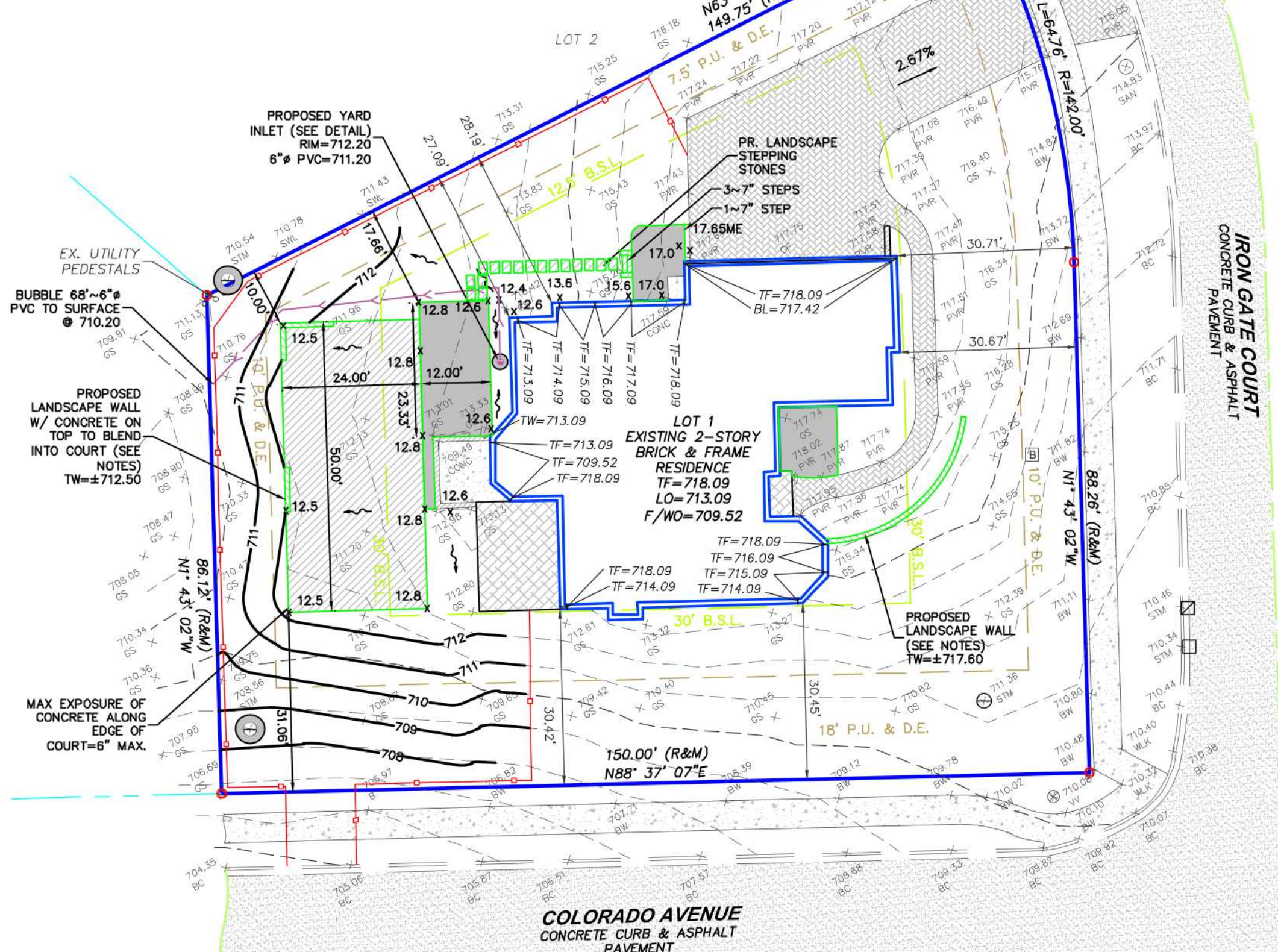
TOTAL COVERAGE = 7,155 SF (39.89%)

BUILDING DIMENSIONS:



NOTE: MARTIN M. ENGINEERING, INC. MAKES NO REPRESENTATION AS TO ACCURACY OF THE FOUNDATION DIMENSIONS SHOWN. FOR ACTUAL DIMENSIONS OF HOME, REFER TO FOUNDATION PLAN PREPARED BY OTHERS.

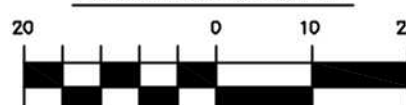
PROPOSED PLAN



ABBREVIATIONS:

P.U. & D.E.	PUBLIC UTILITY & DRAINAGE EASEMENT	XXX.XTTC	TOP OF CURB ELEVATION
N.F.	NO FENCE	XXX.XME	MATCH EXISTING ELEVATION
N.A.	NO ACCESS	(XX.X)	EXISTING SPOT GRADE PER APPROVED ENGINEERING PLANS
L.C.	LANDSCAPE COVENANT	XXX.XX	EX. AS-BUILT GRADE & DESCRIPTION
B.S.L.	BUILDING SETBACK LINE	XXX.X	SPOT GRADE W/ FLOW DIRECTION
TF	TOP OF FOUNDATION		NOTE: ADD 700 TO ALL PROPOSED SPOT GRADES
GF	GARAGE FLOOR		
LO	LOOK OUT		
WO	WALK OUT		
WW	WINDOW WELL		
DS	DOWN SPOUT		
BL	BRICK LEDGE		
SP	SUMP PUMP		
TL	TREE LINE		

GRAPHIC SCALE



LOT 1 ~ IRON GATE ESTATES

FRANKFORT, ILLINOIS

DETAILED GRADING PLAN

MARTIN M. Engineering, Inc.

SITE DESIGN CIVIL ENGINEERS & SURVEYORS

20123 OAKWOOD DRIVE

MOKENA, ILLINOIS 60448

VOICE: (708) 995-1323

FAX: (708) 995-1384

LICENSE NO. 184.005285-0010

DRAWN BY: BMM

CHECKED BY: BMM

SCALE: 1"=20'

DATE: 05/04/23

JOB NUMBER: 21-174

SHEET: 1 OF 1

DATE DESCRIPTION

1. 05/09/23 PER CLIENT REVISION

2. 06/05/23 PER CLIENT REVISION

3. 07/18/23 PER CLIENT REVISION

4. 07/29/23 PER CLIENT REVISION

5. 09/12/23 PER CLIENT REVISION

IRON GATE ESTATES

Homeowners Association

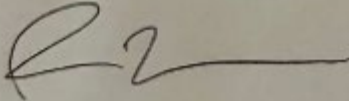
August 13, 2023

To whom this may concern,

Iron Gate Estates approves the landscaping plan for 700 Iron gate ct. including the following:

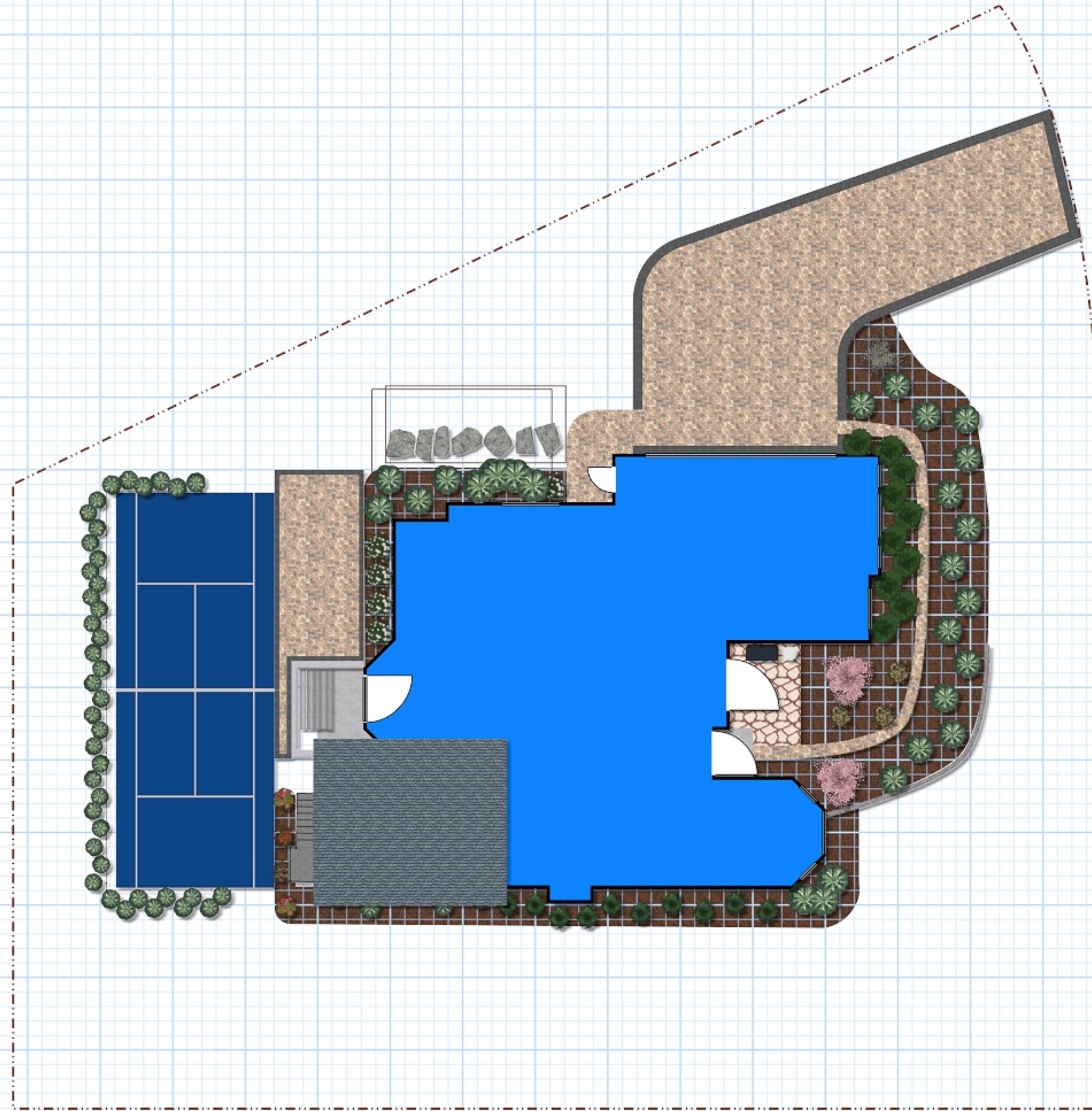
1. Pickle ball court as laid out by the landlord
2. Alternate fence around the pickle ball court, if needed in lieu of the plants and trees proposed by the landlord
3. Sprinkler system

Regards,

A handwritten signature in black ink, appearing to read 'Ron Varek', with a long horizontal stroke extending to the right.

Ron Varek

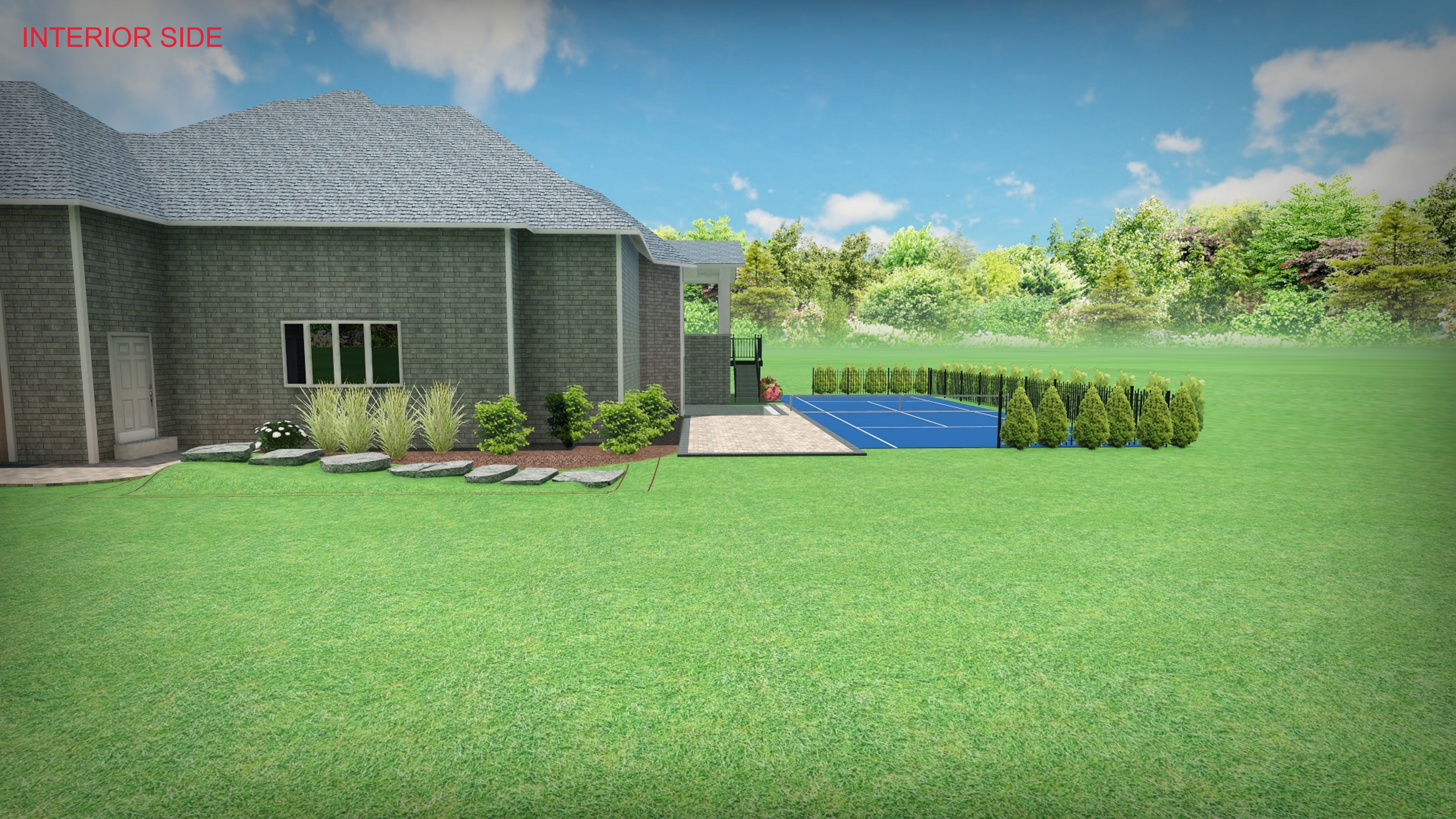
Iron Gate Estates HOA



CORNER SIDE



INTERIOR SIDE



Ord 2002 (approved in 2003); 1288 SF sports court located at 21271 Georgetown Road



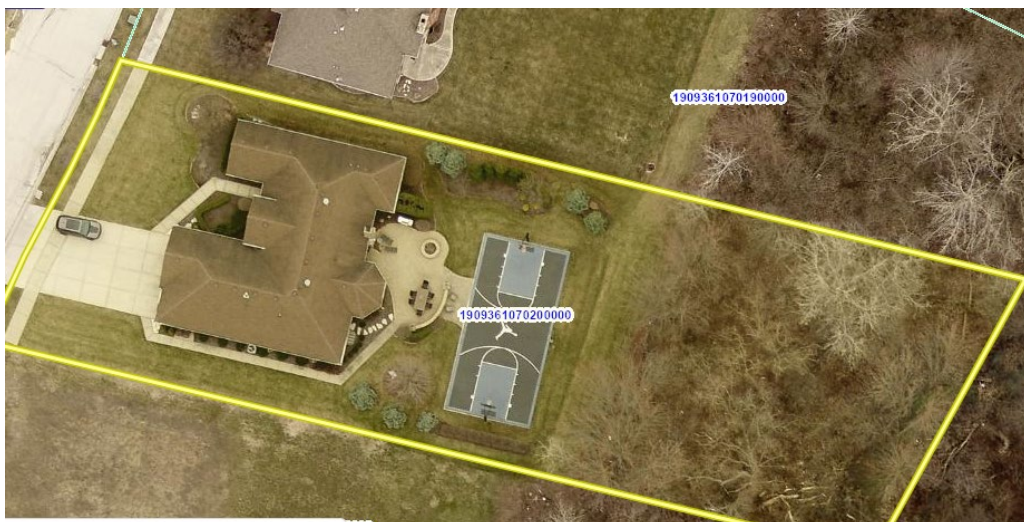
Ord 2008 (approved in 2003); 1200 SF sports court located at 21222 Plank Trail Drive



Ord 2938 (approved in 2003); 625 SF sports court located at 7949 Big Buck Trail



Ord 2908 (approved in 2014); 1,800 SF sports court located at 22635 Oakfield Drive



Ord 2877 (approved in 2013); 1,500 SF sports court located at 23180 Sunburst Point



Ord 2573 (approved in 2009); 700 SF sports court located at 20195 LaPorte Meadows



VILLAGE OF
FRANKFORT
INC • 1879

Application for Plan Commission / Zoning Board of Appeals Review
Special Use Permit Findings of Fact

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists "findings" or "standards" that the Plan Commission must use to evaluate every special use permit request. The Plan Commission must make the following seven findings based upon the evidence provided. To assist the Plan Commission in their review of the special use permit request(s), please provide responses to the following "Findings of Fact." Please attach additional pages as necessary.

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 pickle ball court will not endanger the public health, safety, morals or public welfare as it is in our backyard (private property). The court is for family recreation purposes only and will not interfere with the general public

2. 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 court is inside the offset lines. It will not be injurious to the use and enjoyment in the vicinity. The court will be well obscured by trees and it will not diminish the property value. It could enhance the value as Pickle ball is the fastest growing recreational activity for adults 40 and above.

3. 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 pickle ball court will be inside our private property stipulated by the village regulations as shown the drawing prepared by Martin engineering. This will not impede normal orderly development of the surrounding property for uses permitted in the district

4. 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 request is for a pickle ball court in the backyard and it is not a structure and it will not be in variance of the architectural appeal. We will also cover the court with evergreen trees all around to obscure the court

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

The request is for the pickle ball court. We requested Martin Engineering to create drawings based on the drainage and grading requirements

6. 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.

Yes. The court is inside the private property and should not impact traffic in the public streets. We will also cover the court with evergreen trees all around to obscure from public

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.

We are requesting the permit to add a 24'x51' pickleball court in our backyard. Overall hard surface in the house will be less than the stipulated 40%.



Findings of Fact Commissioner Evaluation Form - Special Use Permit

Article 3, Section E, Part 6 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Plan Commission must use to evaluate every special use permit request. No special use shall be recommended by the Plan Commission unless all the following findings are made.

	STANDARD	NOTES	MEETS	
a.	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.		YES	NO
b.	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.		YES	NO
c.	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.		YES	NO
d.	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.		YES	NO

e.	That the adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.		YES	NO
f.	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.		YES	NO
g.	That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Village Board, pursuant to the recommendations of the Plan Commission.		YES	NO

Memo

To: Plan Commission/Zoning Board of Appeals
From: Christopher Gruba, Senior Planner
Date: September 28, 2023
Re: Text Amendment - Accessory Structures, Revisited (sliding scale)

At the Village Board meeting on July 24, 2023, a resident raised the topic of accessory structure size and some discussion by the Board followed. In particular, it was noted that the maximum size of 250 square feet for certain accessory structures (including pool cabanas but not including sheds) may be too restrictive. A “sliding scale” was discussed that could permit certain accessory structures to exceed 250 square feet, based on lot size. In other words, larger residential properties could be permitted to have larger accessory structures.

This topic was also previously raised at the Committee of the Whole meeting on July 12th, which provided staff with direction:

“There was general discussion regarding the Village's current zoning regulations for pergolas and pool cabanas which allows accessory structures, including arbors, trellises, pergolas, gazebos, and pool cabanas, up to 250 square feet in size. Members felt a sliding scale based on lot size or a ratio determined by the area of a lot may be more appropriate. Staff was asked to review regulations of accessory structures further and present at a future Committee of the Whole meeting.”

The Village Board last adopted a text amendment to the Zoning Ordinance regarding accessory structures on March 7, 2022. Since that time, staff has noticed a few minor errors within the recently adopted language and would like to take this opportunity to fix these errors.

The following bullet points summarize the proposed text amendment:

- The sliding scale would only apply to arbors, trellises, pergolas, gazebos and pool cabanas (as illustrated on page 183 of the Zoning Ordinance).
- For all lots, these accessory structures may be at least 250 square feet.
- For larger lots, these accessory structures may be up to 2% of the total lot area, but in no instance shall such a structure exceed 1,000 square feet.

Staff offers the following examples if the amendment were adopted:

Undersized lot example:

143 Kansas

Lot area: 4,902 SF x 2% = 98 SF

250 SF is the minimum size (this would prevail)

1,000 SF is the maximum size

Slightly undersized lot example:

170 Vail Drive

Lot area: 14,410 SF x 2% = 288 SF (this would prevail)

250 SF is the minimum size

1,000 SF is the maximum size

Typical lot example:

(R-2 zone district minimum)

Lot area: 15,000 SF x 2% = 300 SF (this would prevail)

250 SF is the minimum size

1,000 SF is the maximum size

Oversized lot example:

23359 Sunburst Point

Lot area: 65,877 SF x 2% = 1,317 SF

250 SF is the minimum size

1,000 SF is the maximum size (this would prevail)

As a further point of reference, a typical new house in Frankfort is approximately 3,500 square feet in gross livable area, according to the Building Department.

Attached, please see the draft changes, including a strikeout version and a “clean” version, from pages 104-106 of the Zoning Ordinance.

Section D: Accessory Uses and Structures

Part 1: General Requirements

- a. Accessory uses and structures, as defined in Article 12, are permitted in the E-R, R-1, R-2, R-3, R-4, H-R and A-G districts. Accessory uses and structures, as defined in Article 12, are permitted in the H-1 zone district when the property is used for single-family residential.
- b. Accessory uses and structures, as defined in Article 12, in the B-1, B-2, B-3, B-4, O-R, I-1, I-2 and H-1 when the property is not used for single-family residential, must be approved during the site plan review process (as described in Article 3, Section H).
- c. Residential accessory uses and structures shall not involve the conduct of any business, trade, or industry.
- d. Accessory uses and structures must be in connection with a principal use which is permitted within such district.
- e. Each accessory structure and use shall comply with the use limitations applicable in the zoning district in which it is located.
- f. No accessory structure shall be constructed or occupied on any lot prior to the completion of the principal structure to which it is an accessory.
- g. Pole barns, silos and other accessory farm structures shall be permitted only within the A-G zone district.
- h. Any structure with a roof and attached to the primary structure shall be considered part of the primary structure and shall abide by the requirements for primary structures in that zone district.
- i. There shall be no limit to the number of accessory buildings on a particular lot, except as restricted by the other regulations of this Ordinance.
- h.j. Any exterior wall of an accessory structure shall not exceed 35' of uninterrupted wall length. For the purposes of this section an interruption shall be defined as an offset in a wall plane and underlying foundation measuring a minimum of one (1) foot.

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Part 2: Bulk Regulations

- a. Location:
 - 1. Accessory structures shall only be permitted within side and rear yards, except within the A-G zone district.

2. Accessory structures shall be located behind the front of the primary structure along a front yard or corner side yard, except within the A-G zone district.
3. Accessory structures shall be set back at least ten (10) feet from any lot line, except for the A-G zone district, in which they must meet the required front, side and rear setbacks for the primary structure.
4. Accessory structures, except for open patios, open terraces, open decks and similar structures without a roof, shall maintain a separation minimum distance of ten (10) feet between other accessory structures and from the primary structure.
5. Accessory structures, including open patios and open terraces, shall not have any separation requirement from other accessory structures or the primary structure.
6. Accessory structures, including open decks and similar structures without a roof, shall maintain a ten (10) separation from the primary structure, unless such structure is physically attached to the primary structure.
7. Swimming pools shall be set back at least ten (10) feet from the primary structure. A minimum separation is not required from a swimming pool to an open patio, open terrace, open deck or similar structures without a roof.

b. Size:

1. Accessory structures, including arbors, trellises, pergolas, gazebos and pool cabanas may be two hundred fifty (250) square feet or 2% of the area of the parcel, whichever is greater, but in no instance shall they exceed one thousand (1,000) square feet. shall not exceed two hundred fifty (250) square feet in size.
2. Accessory structures, including sheds, child playhouses, permanently affixed outdoor fireplaces and stoves, greenhouses, laundry drying equipment and trash enclosures shall not exceed one hundred forty-four (144) square feet in size. Sheds within manufactured home parks shall not exceed two hundred twenty-five (225) square feet in size.
3. There shall be no size limitation for swimming pools, open patios, open terraces, or open decks except as restricted by the other regulations of this Ordinance.
- ~~4.~~ Detached garages in manufactured home parks shall not exceed six hundred (600) square feet.
5. Detached garages not located in manufactured home parks shall not exceed the area of the footprint of the primary structure, except within the A-G zone district.
- ~~6.~~ There shall be no size limitation for farm structures, except as restricted by other regulations of this Ordinance.

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~~4.7.~~ All other accessory structures not specifically listed within this subsection shall not exceed one hundred forty-four (144) square feet in size.

~~5.8.~~ Each accessory structure and use shall otherwise comply with the bulk regulations applicable in the district in which it is located, including maximum lot coverage, maximum impervious coverage and maximum rear yard coverage (Article 6, Section B, Part 1).

c. Height:

1. All accessory structures, except farming structures including pole barns, silos and similar structures, shall not exceed fifteen (15) feet in height.
2. Accessory farming structures shall not exceed thirty-five (35) feet in height.

d. Measurement of area:

1. For structures that have walls, measurement shall be made from the exterior walls.
2. For structures that have posts but no walls, measurement shall be made from the exterior edges of the posts.

Part 3: Garage Provisions

- a. A maximum of one (1) detached garage per zoning lot is permitted.
- b. All garages greater than three-cars in size must be side-loaded in orientation and driveways shall have a minimum 26' turning radius.
- c. Architecture of garages shall be similar and compatible to the primary structure, including building materials and the roof pitch.
- d. All garages must be constructed as enclosed buildings.
- e. All garages must be constructed on a concrete pad.

Part 4: Recreational Equipment/Vehicle and/or Construction/Commercial Equipment Provisions

- a. Outdoor parking of recreational equipment/vehicle and/or construction/commercial related vehicles, provided that:
 1. If the owner is actively involved in maintenance, loading or unloading the equipment, it may be parked on a residential driveway, however duration does not exceed forty-eight (48) hours;

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