



**MINUTES OF THE REGULAR MEETING OF THE  
PLAN COMMISSION, VILLAGE OF TINLEY PARK,  
COOK AND WILL COUNTIES, ILLINOIS**

**March 21, 2019**

The Regular Meeting of the Plan Commission was held in the Council Chambers of Village Hall on March 21, 2019 at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Plan Commissioners: Ken Shaw, Chairman  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Eduardo Mani  
MaryAnn Aitchison  
Stephen Vick

Absent Plan Commissioner(s): Angela Gatto  
Chuck Augustyniak

Village Officials and Staff: Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

**CALL TO ORDER**

PLAN COMMISSION CHAIRMAN SHAW called to order the Regular Meeting of the Plan Commission for March 21, 2019 at 7:00 p.m.

**COMMUNICATIONS**

None at this time

**APPROVAL OF MINUTES**

Minutes of the March 7, 2019 Regular Meeting of the Plan Commission were presented for approval. A Motion was made by COMMISSIONER STANTON, seconded by COMMISSIONER ENGEL, to approve the minutes as revised on page 6 to show "spacing being less than four (4") inches". The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved as presented.

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION**

**SUBJECT: MINUTES OF THE MARCH 21, 2019 REGULAR MEETING**

**Item #1 PUBLIC HEARING: SECONDARY FRONT YARD / CORNER FENCE HEIGHT  
– TEXT AMENDMENT**

Consider a proposed text amendment to the Tinley Park Zoning Ordinance. Section III.J (Permitted Encroachments in Required Yards) of the Zoning Ordinance related to regulations for the height of fences located in a secondary front yard. The purpose of this amendment is to align the height requirements for pools and all fences permitted in the Village. The text amendment would increase the maximum height of a fence permitted in a secondary front yard through administrative approval by one foot (1') in height from four feet (4') to five feet (5'). The Petitioner is the Village of Tinley Park.

Present were the following:

Plan Commissioners: Ken Shaw, Chairman  
Tim Stanton  
Lucas Engel  
Garrett Gray  
Eduardo Mani  
MaryAnn Aitchison  
Stephen Vick

Absent Plan Commissioner(s): Angela Gatto  
Chuck Augustyniak

Village Officials and Staff: Dan Ritter, Senior Planner  
Barbara Bennett, Commission Secretary

Guests: None

A Motion was made by COMMISSIONER GRAY, seconded by COMMISSIONER MANI, to open the Public Hearing for Secondary Front Yard/Corner Fence Height - Text Amendments. The Motion was approved by voice call. CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW noted that Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements.

CHAIRMAN SHAW requested anyone present in the audience, who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

Dan Ritter, Senior Planner gave a presentation as noted in the Staff Report. Staff has proposed a draft Text Amendment to the Fence Regulations. The amendment would permit a fence located in a secondary front yard approved through an administrative variation, to be permitted to be up to five feet (5') in height. The change would increase the maximum height by one foot (1'), up from the currently permitted maximum of four feet (4').

The changes have been proposed by staff due to a discrepancy between the pool fence requirements which require a minimum five foot (5') high fence and the existing secondary front yard fence requirements. The changes were initiated by

staff due to feedback from residents, as well as the approval of two variances last year with a justification based upon having or soon having a pool. The change can also help control any animals from entering or leaving the yard. The main reason for this is visibility, safety, and neighborhood appearance.

Staff initially researched changing the minimum five-foot (5') pool fence height requirement found in the Village's Comprehensive Building Code. This requirement exceeds the four-foot (4') requirement in the International Residential Code (IRC). However, a similar minimum height of five feet (5') was found to be a common requirement in nearby communities. The spacing of the posts for any fence surrounding a yard with a pool in it will continue to remain four inches (4") or less as required by the IRC. This is reviewed by building department staff review of any fence or pool permit.

The Zoning Board of Appeals conducted a workshop to review the proposed text amendment on March 14, 2019. There were no concerns about the proposed amendment and unanimously recommend their approval of the drafted text amendment as the Plan Commission's Public Hearing.

CHAIRMAN SHAW asked for comments or questions from the Commissioners.

COMMISSIONER MANI noted if a resident is getting a new pool there must be assurance that the fencing and spacing is appropriate. The focus is on life safety for him. Mr. Ritter replied the time of permit the information on the barrier requirements is required and verified upon inspection. It is noted that a 4" sphere would not be able to pass through the spacing during that inspection.

CHAIRMAN SHAW noted the fence and pool must meet the Building Code requirements. Mr. Ritter replied that inspections are required to verify all the information presented by the resident was completed.

CHAIRMAN SHAW also noted this amendment is in the best interest of the community and residents. This is a cost savings for the Village as well as residents. CHAIRMAN SHAW'S recommendation is to go forward with this text amendment and at some point in the future an analysis should be done to verify cost savings of not reducing Variances.

CHAIRMAN SHAW asked for public comment.

Mr. Ben Desnoyers, Resident, noted this should have been done a couple of years ago to save him time but it is a good idea

A Motion was made by COMMISSIONER ENGEL, seconded by COMMISSIONER MANI, to close the Public Hearing for - Secondary Front Yard/Corner Fence Height - Text Amendments. The Motion was approved by voice call.

CHAIRMAN SHAW declared the Motion approved.

CHAIRMAN SHAW asked for a Motion.

A Motion was made by COMMISSIONER AITCHISON, seconded by COMMISSIONER STANTON to recommend that the Village Board approve Text Amendments to Section III.J. (Permitted Encroachments in Required Yards) of the Village of Tinley Park Zoning Ordinance as indicated in Staff's most recent Staff Report and drafted in the attachments dated 3/21/2019. The proposed Text Amendments raise the allowed maximum height of a fence in the secondary front yard on a corner lot approved administratively. The maximum fence height would be raised by one foot (1') from the current height of four feet (4') to a new maximum height of five feet (5').

AYES: STANTON, ENGEL, MANI, GRAY, VICK, AITCHISON AND CHAIRMAN SHAW

NAYS: NONE

CHAIRMAN SHAW declared the Motion unanimously approved.

The will be presented to the Village Board on April 10, 2019 or April 16, 2019.

**GOOD OF THE ORDER:**

1. Short Term Rental will be presented to the Public Safety Committee for potential recommendations prior to presentation to the Village Board.
2. Jimmy John's (old Bank of America) building conversion has applied for Permit.
3. Permits on the downtown projects (Sip, Banging Gavel and The Boulevard) are still pending but making progress to start this year.
4. The Statements of Economic Interest have been emailed to all Commissioners and should be completed prior to May 1<sup>st</sup>.

**COMMENTS FROM THE COMMISSION**

None at this time.

**PUBLIC COMMENT:**

Mr. Ben Desnoyers, Resident, noted there was an article in Crane's Business regarding taxes in the South Suburbs. Orland Park has a strong base for sales tax with the Mall and therefore the property taxes have not gone up much. It is important to increase the commercial investments to keep the property taxes stable. In the Legacy District requirement of first-floor commercial is good for the future of that area and the tax base. Mr. Desnoyers attended the Melody Square open house and has seen the concept plans. When the TPMHC plan comes forward, it needs to have more commercial rather than single-family and senior homes as has been proposed to this point. Commercial is needed and can be supported along heavily traveled roads.

**ADJOURNMENT:**

There being no further business, a Motion was made by PLAN COMMISSIONER STANTON, seconded by PLAN COMMISSIONER AITCHISON to adjourn the Regular Meeting of the Plan Commission of March 21, 2019 at 7:35 p.m. The Motion was unanimously approved by voice call. PLAN COMMISSION CHAIRMAN SHAW declared the meeting adjourned.