

1 **PLANNING AND ZONING COMMISSION OF THE VILLAGE OF**
2 **OLYMPIA FIELDS**

4 Minutes of the Planning and Zoning Commission Meeting held on Tuesday, March 25th,
5 2025.

6 **CALL TO ORDER:**

9 Chairman Stratton commenced the Planning and Zoning Commission Meeting at 7:00 P.M.
10

11 **PLEDGE OF ALLEGIANCE:**

13 The assembly recited the Pledge of Allegiance.
14

15 **ROLL CALL:**

17 **Members Present:**

19 Commissioner Martin Stratton, Jr. – Chairman
20 Commissioner Dan Gardner
21 Commissioner Theodore Hammons
22 Commissioner Arthur T. Jones
23 Kenneth F. Smith – Trustee Liaison

25 **Members Absent:**

27 Commissioner Craig Martin
28 Commissioner Jerry Pierson

30 **Village Representatives:**

32 John McDonnell - Building Commissioner.
33 John Murphey – Village Attorney

35 **READING AND APPROVAL OF THE MINUTES FROM NOVEMBER 12th, 2024:**

37 Chairman Stratton stated our next item on the agenda is the approval of the November 12th,
38 2024, Minutes.

39 **Motion by Commissioner Jones, Second by Commissioner Hammons to Approve the**
40 **Minutes from the Planning and Zoning Commission Meeting of Tuesday, November 12th,**
41 **2024, as Presented.**

42 **Voice Vote:** **(All Ayes)** **Motion Carried.**

44 **PUBLIC HEARING:**

46 Chairman Stratton stated the purpose of this Public Hearing will be to consider a proposed
47 amendment to a previously adopted Ordinance No. 2006-10 relating to the Olympia Club

1 subdivision. Specifically, the proposed amendment would provide in substance: "No house may
2 be constructed on any property other than an individual platted lot, platted pursuant to this
3 Ordinance."

4
5 Chairman Stratton stated at this time; we will have discussion among the members. I know
6 everyone has a copy of this. If any of the members would like to make any comments about this
7 particular proposal, please do so at this time.

8
9 Trustee Smith stated I think we could probably start with the Village Attorney, or the Building
10 and Zoning Commissioner first, because they have the background.

11
12 Mr. McDonnell, Building Commissioner, stated before you today, is a request for an amendment
13 to Ordinance No. 2006-10 from the Olympia Club Homeowners Association subdivision. There
14 was a Settlement Agreement December 19th, 2024, between the Olympia Club Homeowners
15 Association and Miss Delena Little. This was to firm-up the language as it pertains to their
16 original approved platted PUD subdivision.

17
18 The new Ordinance is the request on behalf of the current Homeowners Association who reside
19 within the area of the plat. The residents made a significant investment in their homes and
20 substantial reliance on the original platted survey. The survey entails 77 single-family homes.
21 And the Ordinance of 2022-21 completely changed the character and design of their subdivision.
22 So, that's the request from the Olympia Club Homeowners Association and their residents.

23
24 Mr. John Murphey, Village Attorney, stated let me, if I can, fill-in the blanks. This is an unusual
25 case. It goes back to 2022, when the Village approved a Plat of Consolidation for Ms. Little,
26 which would have allowed her to consolidate three lots into one, and build a house on that lot.
27 The Homeowners Association filed a lawsuit initially against Ms. Little, and also against the
28 Village. The case was proceeding on a trial track. We actually had trial dates set the last two-
29 weeks of December. The parties were present at trial in front of Judge Sophia Hall in Chancery
30 in the Daley Center. The Judge focused her efforts on seeing if there was a settlement that could
31 be reached among the parties. And the settlement that was reached among the parties, because
32 the Village was part of the Settlement Agreement, is that the Village would amend the 2006
33 PUD Ordinance to explicitly provide that no homes can be built on anything other than an
34 individually platted lot. Much of the dispute that was between the Homeowners Association and
35 Ms. Little, the HOA felt very strongly that the covenants prohibited what Little wanted to do.
36 Little felt just as strongly, that the covenants didn't prohibit what she wanted to do. That was
37 probably one of the bases for the parties coming to a Settlement Agreement. The parties have
38 settled the case. And among other things, the Settlement Agreement calls for the approval
39 Ordinance for Little to be repealed.

40
41 Mr. Murphey stated that Mr. McDonnell read into the record; what the Village is going to amend
42 the 2006 PUD Ordinance to contain that explicit language.

43
44 Mr. Murphey stated you may be wondering, since the lawsuit was settled, "What the heck are we
45 doing here?" That was what the parties negotiated those last two-weeks of December of 2024.
46 There is an unusual wrinkle in the law that is unique to zoning cases. In an individual case where
47 it's a civil suit, auto accident, or whatever, one party pays another party money where they settle

1 their dispute. There is no requirement that there be any sort of Public Hearing. But in the unique
2 context of zoning, the law requires that you cannot settle the case finally, unless there's a prior
3 Public Hearing. So, in order to conform with the legal requirements, we scheduled this Public
4 Hearing. And in addition, we put normal newspaper notice in the paper. And we also sent out
5 individual letters to all of the property owners in the Association, including individual entities
6 that may own property that's not built on, meaning the vacant lots. All of the required notice has
7 been given. So, it is in the nature of a formality in that sense, that the parties have negotiated a
8 deal. But we need to go through this Public Hearing process.

9
10 If there are any questions of me, I would be happy to answer them now, or as the public speaks.

11
12 **DISCUSSION OF THE MEMBERS:**

13
14 Chairman Stratton inquired of Mr. Murphey, it is just my understanding, just out of curiosity,
15 that the parcels were never combined. I know it was something she wanted to do, but it wasn't.
16 We agreed to allow her to do it, but it was never actually done, like going through the process.

17
18 Mr. Murphey stated that is correct. Nothing was ever recorded. Right from the beginning, "we,"
19 on behalf of the Village, said that we will stand down until the covenant dispute is resolved. And
20 if the HOA wins, we'll abide by that, and the project will not go forward. So, nothing in terms of
21 any recorded document or reconfiguration of the subdivision occurred.

22
23 Commissioner Hammons stated I kind of want to ask too, does the language here satisfy the
24 Homeowners Association, insofar as saying that they wish to have, I guess, one designated plat,
25 and one house only. Is that the deal?

26
27 Mr. Murphey stated that's the deal. The HOA through their Board of Directors signed-off on the
28 deal.

29
30 Chairman Stratton inquired of Mr. Murphey, is there any resolution for Ms. Little at all from her
31 perspective? Mr. Murphey stated I only know second-hand that she has the land for sale. I
32 learned that second-hand from one of the attorneys for the Association.

33
34 Chairman Stratton inquired whether or not we have any other discussion from the members. If
35 not, we will open for public comment.

36
37 **OPEN FOR PUBLIC COMMENT:**

38
39 **Chairman Stratton opened the Public Comment Portion of the Public Hearing at 7:10 P.M.**

40
41 Chairman Stratton stated if anyone from the public would like to step forward and make
42 comments, now is the time. Please, if you do so, state your name and where you live, and
43 whatever your comment is concerning this.

44
45 Although there were members of the public in the audience, no one wished to address the
46 Commission.

1 **CLOSE PUBLIC COMMENT:**

2 **Motion by Commissioner Gardner, Second by Commissioner Hammons to Close the Public**
3 **Comment Portion of the Public Hearing at 7:10 P.M.**

4 **Voice Vote: (All Ayes) Motion Carried.**

5 **MOTION AND VOTE:**

6 Chairman Stratton stated we will call the Motion to a vote. I will read the proposed Motion:

7 **Proposed Motion to Approve the Petition from the Olympia Club Homeowners**
8 **Association:**

9 **Advance to the Board of Trustees to Approve the Petition of the Olympia Club**
10 **Subdivisions Homeowners Association. To Adopt by Ordinance, Language to Prohibit the**
11 **Construction of Improvements on Properties other than Previously Platted Lots in the**
12 **Olympia Club Subdivision. Defining, No House may be Constructed on any Property other**
13 **than an Individually Platted Lot, Platted Pursuant to this Ordinance.**

14 Chairman Stratton stated the Ordinance is attached in our packet.

15 **Motion by Commissioner Jones, Second by Commissioner Gardner to Accept the Motion**
16 **as Read.**

17 **Roll Call Vote: (Ayes 4) (Trustee Smith Abstained) Motion Carried.**

18 Chairman Stratton stated the Motion passes.

19 **ADJOURNMENT:**

20 **Motion by Commissioner Hammons, Second by Commissioner Gardner to Adjourn the**
21 **Meeting at 7:14 P.M.**

22 **Voice Vote: All Ayes Motion Carried.**

23 Respectfully submitted by Faith Stine.