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**Village of Indian Head Park  
201 Acacia Drive  
Indian Head Park, IL 60525  
MINUTES  
VILLAGE OF INDIAN HEAD PARK  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/MEETING**

*“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken.”*

**Tuesday, May 2, 2017**

**7:30 P.M.**

**CALL TO ORDER – Chairperson Noreen Costelloe**

**ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):**

Commissioner Diane Andrews  
Commissioner David Anderson  
Commissioner Greg Scovitch  
Commissioner Robert Tantillo  
Commissioner Rachel Thompson

**ABSENT:**

Commissioner Jack Yelnick

**ALSO IN ATTENDANCE:**

Village Trustee Rita Farrell-Mayer  
Administrator John DuRocher

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Chairperson Costelloe and the Planning and Zoning Commission members recited the Pledge of Allegiance to the Flag.

**Chairperson Costelloe began the meeting by moving to close the May 2, 2017 Planning and Zoning meeting, in order to open the Public Hearing for Petition #193.**

Commissioner Andrews motioned, seconded by Commissioner Anderson to close the Planning and Zoning meeting of May 2, 2017. Motion carried by voice vote (6-0-1).

Commissioner Andrews Motioned to open the Public Hearing for petition #193, seconded by Commissioner Anderson. Motion carried by voice vote (6-0-1)

### **PETITION #193**

Chairperson Costelloe began the Public hearing for petition #193 by noting the applicants Mario and Karen Licitra are requesting a special use, and a variance to the Village zoning code for a 59.12' encroachment into their rear yard setback at the property known as 6450 Pontiac Drive. The special use and variance to the Village Zoning code if granted would allow them to build an unattached structure, pool house/cabana on their property. Chairperson Costelloe read aloud the exhibit items which were included in the Commissioners packets, see the attached exhibit list.

Chairperson Costelloe invited the applicants to introduce themselves and speak. Mr. Mario Licitra introduced himself and his wife Karen Licitra. Mr. Licitra explained that they have lived here in Indian Head Park for twenty plus years and they love living in the Village of Indian Head Park. Mr. Licitra noted that they have four kids, four in laws, and seven grandchildren. In 1998 they built a pool and at the time they did not foresee the danger in having kids running on wet floors to go to the restroom, and they would like to construct a pool house so that the kids will be safer. Mr. Licitra requested that the Planning and Zoning Commission recommend that the Village Board grant them a special use and variance to allow for the construction of a pool house. Mr. Licitra stated that their architect Randy King, and his neighbors Ben Green, and Ray and Rosemary Mazzola are present for the hearing. Mrs. Licitra mentioned that the pool house will also service those attending their

fundraiser, charity for children, which takes place every other year. Mrs. Licitra added the fundraiser has grown to host around 200 people and although they rent portable restrooms, there still is a demand for the indoor bathrooms. Mr. Licitra noted that the floor is getting warped from the moisture.

Chairperson Costelloe invited the Commissioners to ask the applicants and their architect questions.

Chairperson Costelloe asked Mr. King if he was aware of the rear yard setback requirements. Mr. King answered yes he is, and although the Licitra's lot is fairly large, because of its shape the house consumes most of the area. Mr. King noted they tried to attach the pool house to the home, but it was determined that they needed to detach. Mr. King stated they have exceeded the building height also in their preliminary plans because they preferred to match the pitch of the house. Mr. King added they can lessen the pitch of the pool house to be in compliance, but it will not look as aesthetically appealing.

Chairperson Costelloe asked why it could not be closer to the house and Mr. King replied there was no way they were going to be able to fit this structure in the required set back. Mr. King stated they tried both an attached and detached version, and to get in and out of the garage, you have to make a three point turn, and space to back a car up is necessary.

Commissioner Tantillo asked if they considered placing the structure adjacent to the pool further to the south, and Mr. King replied there is a diving board there.

Mr. Licitra added they could not build on the south side because of a swale, and not on the west side because it would be way out of the buildable area, and where it is located on the preliminary plans, 95% of the pool house will be located in the pool area. Mr. Licitra stated they would extend the fence to accommodate the pool house.

Commissioner Anderson stated it is an attractive building, but large, and the backside is basically a large wall, and in his opinion a negative attribute. Mr. Licitra replied the wall is facing the east so you will not see the wall although the neighbor Mr. Ben Green would. Commissioner Anderson asked Mr. Licitra if the structure needed to be that large. Mr. Licitra replied, they are making the pool house just under the pool fence size. Commissioner Anderson noted

the structure is wonderful but so similar to a guest house, and if this pool house was allowed other residents may request to build a guest house on their property.

Commissioner Andrews stated that if the pool house was to have bathrooms and a bar area only, the structure would be much smaller and probably fit into the buildable area. She also stated that the storage area is similar to a shed, which is not allowed outside of the buildable area, and asked Mr. Licitra if they would consider a smaller pool house, by eliminating the storage, and locating the structure closer to the house.

Mr. Licitra replied, they need the storage area for tables, chairs, and pool toys. Commissioner Andrews noted, this is a similar problem for many residents.

### **PUBLIC COMMENTS:**

Chairperson Costelloe invited the audience to state their comments pertaining to Petition #193.

Mr. Bob Green of 6444 Pontiac Drive said he is directly to the north of the Mr. and Mrs. Licitra's home, and when they moved there in 1995 at that time 6450 was a vacant lot. He mentioned that the lovely home has beautified the neighborhood. Mr. Green added that at one time there was a kiln room and then a family room and a sun room added to their own property. Mr. Green believes the reality is that the little homes built a while ago are not what people are looking for now, time to broaden the Village horizons. Mr. Green stated he believes the pool house plan is great, and the fundraisers are wonderful, he and his wife, Sharon, not in attendance for the public hearing, are in support of the pool house, and he believes the commission should approve changes in order to increase property values in the Village.

Mr. Ray Mazzola and his wife Rosemary of 6460 Pontiac Drive introduced themselves, and stated that they are new residents and have no objections to the pool house. Mrs. Mazzola noted they are from the city and it is her belief the suburbs are very different as permission is necessary for many things, and was hoping that the process was easier. Mrs. Mazzola stated that a neighbor is able to leave an unattractive trailer in their driveway all winter, but a beautiful pool house building is not allowed, and she hopes that when they are ready to make improvements to their property it will not be a difficult process.

Mr. Licitra concluded that in 1995 he bought the property to make his wife's dream to build a Victorian, come to fruition, but when it came time for a permit the plans were not approved due to the exceeding of Village code height limitation. Mr. Licitra explained that he and his wife came to the Planning and Zoning Commission of that time, requested a variance, and it was granted. Mr. Licitra added that he could have built the Victorian anywhere else, but he chose Indian Head Park. Mr. Licitra added that they have a gazebo which holds all the outdoor furniture stacked up, because there is not storage area, and it looks so unappealing.

Chairperson Costelloe read aloud the special uses ordinance, and stated that it was designed to keep the open land feel in the Village. Chairperson Costelloe stated to the best of her knowledge this would be the first of its kind if allowed. Mr. Licitra explained that when he moved into the Village the population was mostly elderly residents who would probably not need something like this, however in the past 5 years the neighborhood consists of more children, and the majority of the people who may want a pool would also like a pool house. Commissioner Andrews stated that many people have moved to Indian Head Park for the open land environment, but if the neighborhood and ideals of residents are changing, the commission cannot change the Ordinance, it is up to the Village Board of Trustees. Commissioner Andrews added that if the pool house is allowed, they may be setting a precedence for others to use an unattached building as a shed to store furniture, etc.

Trustee Farrell-Mayer commented, if there was interest in changing the Ordinance, it would be up to the Village board of Trustees to vote for an amendment.

Administrator DuRocher read aloud the Village Codes definition of "shed" which is "*a shed is a slight structure built for storage not shelter*".

Chairperson Costelloe read aloud the standards for the Zoning Board of appeals, "*The Commission shall recommend a variance from the provisions of this title as authorized in this section unless it shall have made findings based upon the evidence presented to it in the following specific cases*", and continued with the Findings of Fact, discussion ensued.

Commissioner Andrews asked about the FEMA rating of the property and how the water will drain, if it will follow the same direction as present, and is it in a flood plain. Administrator DuRocher reassured the Commission that the applicant cannot build in the flood plain as defined by FEMA, and Mr. Licitra is aware that his pool house is close to the flood plain, and has to avoid building in it.

Commissioner Tantillo asked Mr. King if they explored the possibility of using the empty space by the driveway, which seems like an available area to possibly fit the pool house. Mr. King explained that there would not be enough room, it is not possible.

The commissioners proceeded to ask Mr. Licitra if he would consider locating the pool house closer to his house, and he replied it would be too close to the house, and too far from the pool. Mr. Licitra explained the whole back of the house is glass and windows, the pool house would obstruct the view from the house to the pool, swing set, and the children.

Chairperson Costelloe continued with the remaining Findings of Fact. Chairperson Costelloe Suggested to continue the public hearing to the next Planning and Zoning meeting, and the Commission agreed.

Commissioner Scovitch asked Mr. King if they exhausted all possibilities of being attached Mr. King replied that when they considered attaching, they planned on a breezeway connecting the buildings, and yes a breezeway would qualify it as an attached building, but they decided not to attach. Trustee Farrell-Mayer asked if there were any sleeping areas, and Mr. King replied no.

Commissioner Tantillo asked if he would be able to take a tour of the property. Mr. Licitra recommended that the commission come and schedule a site visit with himself and Mr. King.

Commissioner Scovitch commented, although the petitioner's intended use is not an extra living space, some day when it is sold, the new owner may decide to use the structure as a living space, and since there is nothing that states the new owner could not, how would we keep that from occurring. Mr. King and Mr. Licitra replied that they would agree to an added restriction "for pool house use only", to their special use. Commissioner Andrews stated that it may go undetected as we do not have a code enforcer monitoring the village.

Administrator DuRocher added that we do have diligent residents who would more than likely notice the misuse.

Commissioner Tantillo is interested in the contingency of a possible attached structure; he would like to see the options in person.

**Chairperson Costelloe moved to make a motion to continue the public hearing to the next Planning and zoning meeting.** Commissioner Scovitch motioned, seconded by Commissioner Tantillo, to continue the Petition #193 public hearing at the next Planning and Zoning meeting. Motion carried by voice vote (6-0-1)

Chairperson Costelloe reiterated that the Planning and Zoning Committee is not authorized to allow for the special use, only the Village Board of Trustees is able to. The commission is only allowed to recommend a special use and or variance or not, and the Commission's goal is to listen to the needs and desires of the Village residents.

**There being no further comments Chairperson Costelloe moved for a motion to close the Public Hearing for petition #193**

Commissioner Andrews motioned to close the Public Hearing for Petition #193 seconded by Commissioner Anderson. Motion carried by voice vote (6-0-1).

**Chairperson Costelloe moved for a motion to reopen the May 2, 2017 Planning and Zoning meeting.**

Commissioner Andrews motioned seconded by Commissioner Anderson, to reopen the Planning and Zoning meeting of May 2, 2017. Motion carried by voice vote (6-0-1).

#### **APPROVAL OF BOARD MINUTES**

*Minutes of the Planning and Zoning/ Public Hearing Meeting- May 2, 2017.*

Chairperson Costelloe asked if there were any corrections to the Planning and Zoning minutes from May 2, 2017 as presented and Commissioner Andrews motioned, seconded by Commissioner Tantillo, to approve the May 2, 2017 Planning and Zoning/ Public Hearing meeting minutes. Motion carried by voice vote (6-0-1).

## **ADJOURNMENT**

There being no further business to discuss, Commissioner Andrews motioned, seconded by Commissioner Anderson, to adjourn the Planning and Zoning Commission meeting at 8:30 p.m. Motion carried by voice vote. (6 -0-1).

Minutes prepared and submitted by,  
Mary Crowley, Recording Secretary  
Planning and Zoning Commission