

**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, June 6, 2017**

**7:30 P.M.**

**CALL TO ORDER – Chairperson Noreen Costelloe**

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

Commissioner David Anderson  
Commissioner Greg Scovitch  
Commissioner Robert Tantillo  
Commissioner Rachel Thompson  
Commissioner Jack Yelnick

**ABSENT:**

Commissioner Diane Andrews

**ALSO IN ATTENDANCE:**

Village Trustee Rita Farrell-Mayer  
Administrator John DuRocher

Mayor Tom Hinshaw

**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 with a move to close the June 6, 2017 Planning and Zoning meeting, in order to open the Public Hearing continuation for Petition #193.**

Commissioner Tantillo motioned, seconded by Commissioner Yelnick to close the Planning and Zoning meeting of June 6, 2017. Motion carried by voice vote (6-0-1).

**Chairperson Costelloe moved to make a motion to open the continuation of the Public Hearing for Petition #193.**

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

**PETITION #193**

Chairperson Costelloe began the continuation of 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 feet 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.

The applicant Mr. Licitra stated that Commissioners and Village Board members were invited to attend a site visit of his property. Commissioner Anderson made a site visit.

Chairperson Costelloe asked Mr. Licitra if he would be able to reduce the amount of encroachment into the rear yard setback. Mr. Licitra replied, because of the setbacks they tried, but could not move the structure further up as it would interfere with the necessary three point turn in the driveway. Mr. Licitra added that if they moved the structure far back it would be cutting into the concrete patio, where the barbeque grill will be. Chairperson Costelloe reminded Mr. Licitra that the zoning code requires a forty foot rear yard setback free of structure. Mr. and Mrs. Licitra's Architect, Randy King noted, if the building is brought forward, it would be too close to the pool and there should be 10 feet between an accessory structure and the pool. Chairperson Costelloe asked Mr. Licitra and Mr. King if they considered modifying the plans to make the structure smaller. Mr. Licitra answered; the only way they can make it smaller is to get rid of the barbeque area. Chairperson Costelloe questioned how other residents who were not allowed to have a shed outside the buildable area would react to a large pool house being allowed outside of a buildable area. Mr. Licitra suggested that the Village allow a pool house along with the construction of a pool for safety and sanitary purposes. Chairperson Costelloe replied that a change to the Village code would have to be voted on by the Village Board of Trustees. Mr. Licitra stated when he moved into the Village he brought a lot of value to his property, and this pool house will add additional value which he believes is why his neighbors are in favor of the structure. Mr. Licitra added there are a lot younger adults in the Village now, and they are seeking changes, he is asking the Village to make changes.

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

Commissioner Tantillo asked how many feet toward the house would you have to go to comply with the existing code. Architect King replied even if they move the structure toward the driveway, it would still be encroaching in the rear yard setback.

Chairperson Costelloe stated that it is her belief the Village created these codes in order to create a park like setting, but village codes can change over time.

Mr. Licitra requested Commissioner Anderson give a review of his site visit to Mr. Licitra's property. Commissioner Anderson began by stating that he was very impressed with the property. He felt that Mr. and Mrs. Licitra would do a superb job making the cabana appealing, but the law is the law, and it is not permitted. Mr. Licitra asked how the Planning and Zoning Commission felt about the cabana. Chairperson Costelloe answered on her behalf, and added that it looks to be a beautiful structure, but it would definitely change the overall nature of Indian Head Park. Mr. Licitra asked the Commission if they would recommend the Village Board of Trustees allow a text amendment to the current Village code. Chairperson Costelloe replied, the amendment would be Village wide, and would change the nature and landscape of the Village as a whole.

Commissioner Tantillo asked if they were to place the cabana back toward the garage, how much less variance would be necessary. Architect King answered, it would be a 20 foot reduction, but that would run into the driveway three point turn issue. Architect King added, it would still need a 32 foot variance.

Commissioner Scovitch stated he believes if Mr. and Mrs. Licitra were able to attach the structure and only need a rear yard variance, the Commission may be more open to the plan and recommend the granting of a variance.

Chairperson Costelloe recited from the Code (Findings of Fact); *The Commission shall not 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:*

(1b)The plight of the owner is due to unique circumstances,

Chairperson Costelloe answered; yes because of the pie shape

(1c)The variation if granted will not alter the essential character of the locality:

Chairperson Costelloe answered; it will alter the character of the locality.

(2a)The particular physical surroundings shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out.

Chairperson Costelloe answered; it does not seem to be a hardship not to have a cabana.

(2b)The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classifications,

Chairperson Costelloe answered; it is not unique, anyone else owning a pool would be applicable.

Discussion ensued on the opinion of the Commission as how they would feel about a text amendment or a variance and special use. The Commission; opinion overall, was although it would be a beautiful building, it requires a very large variation. Architect King stated that some revision was made to the original plans that would change the necessary variation from 59.12 feet to 46 feet. Chairperson Costelloe mentioned that the Village has granted large variances in the past for extremely odd shaped lots. Mr. Licitra reiterated that his neighbors on the North and South already testified that they are in favor of the cabana. Chairperson Costelloe mentioned she is able to look out her window and it resembles a golf course, which she believes is the overall nature of the Village. Commissioner Tantillo suggested that Mr. Licitra condense the footprint of the cabana to require less variance. Chairperson Costelloe stated that the Commission would not be opposed to give some variance.

#### **PUBLIC COMMENTS:**

There were no other members in the audience to state comments pertaining to Petition #193.

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

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

**Chairperson Costelloe moved for a motion to reopen the June 6, 2017 Planning and Zoning meeting.**

Commissioner Yelnick motioned seconded by Commissioner Tantillo, to reopen the Planning and Zoning meeting of June 6, 2017. Motion carried by voice vote (6-0-1).

**Chairperson Costelloe moved for a motion to continue the Public Hearing Petition #193 until the next Planning and Zoning meeting.**

Commissioner Anderson motioned, seconded by Commissioner Thompson, to continue the Public Hearing Petition #193 until the next Planning and Zoning meeting. Motion carried (6-0-1)

**APPROVAL OF BOARD MINUTES**

*Minutes of the Planning and Zoning/ Public Hearing Meeting- June 6, 2017.*

Chairperson Costelloe asked if there were any corrections to the Planning and Zoning minutes from June 6, 2017 as presented. There being no corrections, Commissioner Scovitch motioned, seconded by Commissioner Yelnick, to approve the June 6, 2017 Planning and Zoning/ Public Hearing meeting minutes as presented. Motion carried by voice vote (6-0-1).

**ADJOURNMENT**

There being no further business to discuss, Commissioner Yelnick motioned, seconded by Commissioner Scovitch, to adjourn the Planning and Zoning Commission meeting at 8:25 p.m. Motion carried by voice vote. (6 -0-1).

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