

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
MINUTES
VILLAGE OF INDIAN HEAD PARK
PLANNING AND ZONING COMMISSION
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, July 5, 2016

7:30 P.M.

CALL TO ORDER – CHAIRMAN DENNIS SCHERMERHORN

ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):

Chairman Dennis Schermerhorn

Commissioner Timothy Kyzivat

Commissioner Jack Yelnick

Commissioner Noreen Costelloe

ABSENT:

P/Z Minutes
July 5, 2016

Commissioner Diane Andrews

Commissioner Earl O'Malley

Commissioner Robert Tantillo

None

ALSO IN ATTENDANCE:

Village Mayor Tom Hinshaw

Village Trustee Rita Farrell-Mayer

Village Trustee Amy Wittenberg

Village Administrator John DuRocher

PLEDGE OF ALLEGIANCE TO THE FLAG WAS RECITED.

Chairman Schermerhorn began the meeting by entertaining a motion to enter into a Public Hearing. Commissioner Costelloe motioned, seconded by Commissioner Yelnick. Motion carried by voice vote (4-0-3)

Chairman Schermerhorn noted that the public hearing is regarding a proposed amendment to Title 17 of the Village of Indian Head Park Municipal code to increase the allowable variance in R-1 Zoning from 10% to 25% (18,000 sq. ft. minimum allowable to 15,000 sq. ft. allowable) of the require lot area. (Section 17.24.060.F.2).

Chairman Schermerhorn explained that Village Administrator John DuRocher is representing the Village Board of Trustees, as he presents this petition for an amendment to (Section 17.24.060F.2) of the Village Municipal Code.

Chairman Schermerhorn added that the audience would be able to comment on the possible amendment after the presentation. After all comments have been heard, the Commissioners will discuss the petition. Following the discussion they will prepare a report to present to the Village Board of Trustees. Chairman Schermerhorn invited Administrator DuRocher to present the information.

Administrator DuRocher explained that this is a text amendment to the Village Municipal Code and would apply to the entire Village R1 Residential zoning area, not one single property. Currently in the R1 District of the Village, if you are going to construct a new home you have to build on a lot of at least 20, 000 sq. ft. with a simple building permit. With the present Code you have the option to petition for a public hearing to receive a variance to the Village Ordinance to be able to build on a lot size- between 18,000 sq. ft. and 19,999 sq. ft. If you own a lot in the Village now and it is 17,999 sq. ft. or less you cannot petition for a variance, and cannot build. Absolutely no one can grant you permission. The proposed text amendment would allow you to petition for a variance for as less as 15,000 sq. ft. lot size for a new construction.

Chairman Schermerhorn asked Administrator DuRocher if he had researched exactly how many lots in the Village would be impacted by this text amendment. Administrator DuRocher answered that there are about 12 potential lots, and added that you could not take down several homes and sub

divide, because that would be considered a self-created hardship. Basically this amendment would only apply to vacant lots in the village. If each of the vacant lots would do this it would produce about 8 additional homes in the Village. The fiscal impact on the Village would be minimal.

Chairman Schermerhorn replied that there are presently several lots in the Village which are less than 18,000 sq. ft. and asked if these were pre-existing before incorporation. Administrator DuRocher answered that to the best of his knowledge they existed before being incorporated and or the present Village Code Section 17.24.060.F.2. Administrator DuRocher noted that there is a Southwest side of the Village around Cochise Drive which has smaller lots that were pre-existing before being incorporated.

Public Comments from the Audience:

Mr. John Greaves from 6631 Cochise Drive stated that he would not be opposed to the amendment if the homes being built on the lot were ascetically

P/Z Minutes
July 5, 2016

sized, and of the norm of the Village homes. Mr. Frank Faran of 6521 Pontiac Drive asked for verification that the Findings of Fact do state a variance cannot be obtained for financial benefit, Administrator DuRocher concurred that a variance cannot be obtained for economic benefit. Mr. Alex Murfey of 11211 Tecumseh Lane inquired into the lot size information, but did not comment whether in favor or not. Mr. Mark Southerland of 11217 Tecumseh Lane lived here for 39 years. He and his wife Jean, commented that they are not in favor of the text amendment which would allow two homes to be built across the street from them, and they believe it would take away from the value of his their own home. Ms. Carol Novak of 6587 Shabbona Road asked how this extra demand would affect the water system of the Village. Ms. Novak also stated that she is on the other side of a potential subdivided vacant lot, and she already experiences swamp like yard after heavy rains, and would this affect her property. Administrator DuRocher answered that as far as the water drainage on the subdivided lot, the drainage would be properly diverted through the property as opposed to no proper drainage on a vacant

lot, and it would not negatively impact our water main system. Mr. Tom Tepachevic of 6588 Shabbona Road, asked if the proposed lot size change would then allow for change in the set backs, and Administrator DuRocher replied no it would not. Mr. Tepachevic noted for the record that he opposes the text amendment. Ms. Denise Guardino of 6488 Thunderbird Drive commented that she moved to Indian Head Park for the open area, and she believes that it would not be good for the Village or her property value to allow for the text amendment. Mr. Babak Javadi whose family lives at 6533 Blackhawk Trail, and grew up at 6540 Blackhawk Trail stated that he and his family love the neighborhood so much that in order to stay in the community his parents Mr. and Mrs. Mohsen Javadi moved from 6540 to 6533 Blackhawk Trail. The lot which he believes many in the audience is referring to is actually 2 separate lots, 6540 and 6548 Blackhawk Trail. One of them is slightly less than 15,000 sq. ft. and the other is slightly over. It is his opinion that if the lot can only have one home, that it would be too large for the area. He and his family support this text amendment and are hopeful that it passes so that they

may each have a home on the property known as 6540/6548, and move back into the neighborhood they grew up in. They will also be able to tend to their parents across the street. Mr. Ben Green 6444 Pontiac Drive spoke about the large lot sizes which enticed him to move here, and voiced his opinion against the text amendment. Mr. Nick Guardino of 6532 Blackhawk Trail also spoke not in favor of a text amendment and was concerned about property values if it passed. Mr. Mohsen Javadi from 6533 Blackhawk Trail told the history of his ownership of the properties; 6533, 6540, 6548 Blackhawk Trail, and why he is in favor of the text amendment which would allow him to build two homes on his property of 6540/6548 Blackhawk Trail. Mrs. Betty Otten of 6611 Cochise Drive a very long time resident spoke about several changes the Village has made since 1973, and is in favor of the text amendment. Mr. Bob Hurley of 6539 Cochise Drive stated that the real estate prices have already dropped, and the change will not make a difference.

Chairman Schermerhorn closed the public comment forum, and welcomed the audience to stay and listen to the Commission as they discussed the text amendment, and thanked them all for participating.

Commissioner Tim Kyzivat motioned, seconded by Commissioner Yelnick, to close the open comment session of the public hearing. Motion carried by voice vote (4-0-3)

The Commission began their discussion in order to make a decision whether to recommend or not recommend the text amendment to the Village Municipal code.

Discussion ensued. Dennis asked why change the existing ordinance. What benefit would the Village obtain with the text amendment. Commissioner Yelnick said that he is not in favor of the text amendment change, and noted how the residents spoke so strongly opposing the change. Commissioner

Costelloe asked if there have been any other property owners approach the Village to build on a smaller lot. Administrator DuRocher mentioned that a bank owned property informally inquired into a divided smaller lot.

Commissioner Costelloe added that she believes it is not a good idea to change the Village ordinance so specifically to suit the preferences of one resident.

Commissioner Kyzivat noted that so many long term residents came tonight to reach out to the commission voicing their fondness of the large lots in the Village. Commissioner Kyzivat stated that there are some smaller size lots in the Village of Indian Head Park, if a resident may prefer to live on a small lot.

Commissioner Kyzivat added that he does not see any valid reason that the Village Board of trustees should make such a critical change for possibly just one situation at most, and in conclusion he is not in favor of the text amendment, and In favor of keeping the lot size larger. Chairman

Schermerhorn stated that it appears that the Commission is not in favor of recommending the text amendment. Chairman Schermerhorn stated that the

broad base of the Village seems to oppose this text amendment along with all of the Planning and Zoning Commissioners.

Administrator DuRocher requested that Chairman Schermerhorn compose and sign a letter to the Board of Trustees stating their vote count in favor or not in favor of a text amendment to be presented to the Village Board of trustees at their meeting. Since the Commission has collectively agreed on the issue along with the residents whom participated in the public comments, and those who sent in their disapprovals, a vote would be taken.

Commissioner Costelloe motioned, seconded by Commissioner Kyzivat in favor of sending a letter not in favor of an amendment to Title 17 of the Municipal code as follows: Increasing the allowable variance in R-1 Zoning from 10% to 25% (18,000 sq. ft. minimum allowable to 15,000 sq. ft. allowable) of the required lot area. (Section 17.24.060F.2) Motion carried by voice vote (4-0-3).

Approval of Planning and Zoning Commission January 5, Meeting

Minutes:

Chairman Schermerhorn asked the Commissioners if they had any changes to the January 5, 2016 meeting Minutes. Pages 1 and 2, Page 3, 4 and 5. There were none.

Commissioner Kyzivat motioned, seconded by Commissioner Costelloe to approve the January 5, 2016 Planning and Zoning Meeting Minutes.

Motion carried by voice vote (4-0-3).

Adjournment:

There being no further business to discuss, Commissioner Kyzivat motioned, seconded by Commissioner Costelloe to adjourn the Planning and Zoning Meeting at 8:43 p.m. Motion carried by voice vote (4-0-3).

Minutes prepared and submitted by,

P/Z Minutes
July 5, 2016

Mary Crowley

Recording Secretary,

Planning and Zoning Commission