

**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 AND WORKSHOP 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, April 3, 2007

7:30 P.M.

I. CALL TO ORDER -DENNIS SCHERMERHORN, CHAIRMAN

A continuation of a public hearing and workshop meeting was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, April 3, 2007, at the Municipal Facility, 201 Acacia Drive. Chairman Schermerhorn noted the Commission will entertain a motion to continue a public hearing concerning Petition # 159 for a rear yard variation to allow for an addition to the residence at 6532 Blackhawk Trail and will also review proposed plans for a new residence to be constructed at 6449 Blackhawk Trail. The meeting was convened at 7:30 p.m. by Chairman Dennis Schermerhorn and Kathy Leach, Zoning Commission Secretary, called the meeting to order.

II. ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):

Chairman Dennis Schermerhorn
Commissioner Diane Andrews
Commissioner Brian Bailey
Commissioner Denise Ingram
Commissioner Earl O’Malley
Commissioner Jack Yelnick

NOT PRESENT:

Commissioner Noreen Costelloe

ALSO PRESENT:

Richard S. Andrews, Zoning Trustee

III. PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Dennis Schermerhorn and the Planning and Zoning Commission members led the audience in reciting the Pledge of Allegiance to the Flag as follows: *“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”.*

QUESTIONS AND/OR COMMENTS FROM INDIAN HEAD PARK RESIDENTS/PROPERTY OWNERS IN ATTENDANCE REGARDING ZONING AGENDA ITEMS

None

IV. PUBLIC HEARING HELD BEFORE THE VILLAGE OF INDIAN HEAD PARK PLANNING AND ZONING COMMISSION (PUBLIC COMMENTS RECEIVED AFTER DISCUSSIONS BY THE PLANNING AND ZONING COMMISSION MEMBERS AND PRIOR TO VOTES)

ZONING AGENDA ITEMS:

1. Motion to Continue Petition #159 – A Request for a Rear Yard Variation for an Addition to the Residence Located at 6532 Blackhawk Trail, Indian Head Park.

Chairman Schermerhorn noted that an application for a zoning variation was filed with the Village regarding a petition for a variation from *Title 17, Zoning*, of the Municipal Code. A public hearing notice was published to consider a request for a rear yard variation to allow for the construction of an addition to the residence for the property located at 6532 Blackhawk Trail, Indian Head Park. At the last meeting, the Commission discussed the proposed plans in the form of a workshop meeting and the continuation of the public hearing will take place at a later date. He further noted that the Commission is waiting to receive revised plans from Mr. & Mrs. Nick Guardino that reflects a reduction in the rear yard variance. Chairman Schermerhorn stated that the Commission will review those plans at a later date when the public hearing is reconvened. Commissioner Bailey moved, seconded by Commissioner Ingram to continue the public hearing regarding Petition #159 to a future meeting. Carried by unanimous roll call vote (5/0/1).

Aye: Commissioners: Andrews, Bailey, Ingram, O'Malley, Yelnick

Nay: None

Absent: Costelloe

2. Workshop Meeting — Informal Review of Concept Plans — New Residence to be Constructed at 6449 Blackhawk Trail, Indian Head Park

Chairman Schermerhorn stated that Mr. & Mrs. Andre Hasan, the owners of the property located at 6449 Blackhawk Trail, have requested an informal workshop meeting before the Planning and Zoning Commission to discuss their proposed conceptual plans for a new residence.

The following information was presented to the Commission: (1) A preliminary plan review report dated February 15, 2007 prepared by Tim Halik, the Village's Plan Review Consultant and; (2) a preliminary grading plan prepared by Ruettiger, Tonelli & Associates, Inc., (no date) showing the contours, elevations and placement of the new residential structure on the property boundary. Chairman Schermerhorn stated that there are difficulties with configuring the new residential structure on the property due to the setback requirements and topographical conditions of the site and the Commission will discuss the unique aspects of the property and the proposed plans for a new home on the subject property.

Mr. Scott Eckstein, of James Scott Custom Home Builders, stated that he met Mr. & Mrs. Hasan at Cavalcade of Homes in Bolingbrook. Mr. Eckstein further stated that the particular home that is being proposed for the Hasan's property was marketed in the parade of homes, the plan won fifteen awards, the floor plan is a popular design and Mr. & Mrs. Hasan hoped to make some revisions to the plan to possibly fit this design plan on their lot in Indian Head Park. Mr. Eckstein stated that initially when he reviewed the site plan, the setback requirements seemed very restrictive; however, possibly variances could be obtained. He added that preliminary engineering was prepared and the footprint of the new home was placed on the property in close alignment to existing residences in the area as well as trying to minimize variances that would be needed. Mr. Eckstein stated that an overlay was provided showing the layout of the new home over the previous residential structure that was non-conforming to the Village's codes for a variety of reasons.

Trustee Andrews stated a Plat of Survey from 2005 for the subject property shows a forty-foot (40') front yard building line. Mr. Eckstein and Mr. Hasan pointed out that the back of the property has a very steep slope and the footprint of the home has been moved around on the lot to try to make the floor plan fit on the lot while working with the tree preservation requirements of the Village. Mr. Hasan stated that the current plans reflect the following variances that would be needed: (1) **Building Height** — (proposed plan reflects 29' 0") — (a variance of 16%) — **Front Yard Setback** — (proposed plan reflects 25.57') (a variance of 36%) — **Rear Yard Setback** (proposed plan reflects 43.72') — (a variance of 4%).

Chairman Schermerhorn stated that the buildable area of the property is wider on the east end of the lot. Mr. Hasan stated that the property is approximately ½ acre but the lot is only one hundred feet (100') in depth which makes it difficult to meet the forty-foot front yard setback and forty percent of the average lot depth in the rear yard. Mr. Eckstein stated that the initial plan was to move the house forward but there is a drainage easement along the front of the property, a very steep slope at the back of the property and many mature trees that could be preserved in various locations on the property. Mr. Hasan stated that various configurations of the proposed new residence was considered to minimize the variances that would be needed. Chairman Schermerhorn pointed out that the front setback for most of the properties in the area is at the street and this particular property has several feet of space before the property line begins.

Chairman Schermerhorn stated that possibly the Commission could consider allowing more of an incursion into the front yard on the basis there is several feet of space from the street to where the property line begins. Trustee Andrews stated that this topic was discussed regarding another property in the Village and right-of-way cannot be used as part of determining the front yard setback.

Commissioner Diane Andrews inquired if there was consideration given to utilizing the wider side of the property to be used for the livable space of the floor plan and possibly to reconfigure the garage space. Mr. Eckstein stated that the floor plan configuration has a mid-level walkout patio with a deck off the side of the house so the yard can be utilized by the children without bringing the house too close to the fourteen-foot drop-off that runs from the east end to the west end of the property. Commissioner Andrews stated that the sewer connection for the property would be at the back of the lot where most of the water accumulates.

Chairman Schermerhorn asked the Commission members if a front yard variance would be more acceptable than a rear yard variance. The Commission members concurred that there is minimal lot depth and buildable area. Commissioner Diane Andrews stated that the storm sewer line is at the back of the property, the neighboring property owner has a sewer in the back yard to collect water and there is not much privacy at the back of the lot. Mr. Hasan pointed out that there is a Victorian style home on Pontiac Drive that most likely needed variances to allow for that style of home to be built due to some aspects of the floor plan not meeting Village zoning codes. Trustee Andrews stated that generally a ten percent (10%) variance has been granted previously by the Village in other zoning matters. Chairman Schermerhorn stated that based on home values in the area, a minimum square footage is needed to make sense which dictates a footprint for a structure. He added that it does not seem possible that a sensible design of a home of any kind will fit on the property within the buildable area. Mr. Hasan stated that he hoped that variances could be considered to allow for the construction of his new home. Commissioner Jack Yelnick suggested that possibly the garage could be reconfigured from a front loading garage to a side loading garage to shift the layout of the house to minimize variances in other areas.

Mr. Hasan stated that the proposed home is about 4,200 square feet and approximately 18,000 square feet will be open space while maintaining as much of the existing trees and vegetation as possible. Mr. Eckstein stated that he would work with Mr. Hasan to revise the current plan and also to plot in the adjacent homes so an average line could be determined across the front lot lines for a starting point. Commissioner Diane Andrews asked Mr. Eckstein if he would then be designing a layout only asking for a front yard variance of no more than ten percent (10%). Mr. Eckstein stated that a front yard variance would still be needed and possibly a minimal rear yard variance. Commissioner Denise Ingram stated that it is almost impossible to fit the current design plan on the property by only asking for a variance not to exceed ten-percent (10%) and also taking into consideration the drainage issues and steep drop-off of fourteen feet on the property.

Chairman Schermerhorn stated that based on the current plan, most of the zoning requirements cannot be met. He added that based on current discussions, an estimated ten-percent variance would be needed for a rear yard encroachment, a possible fifteen percent variance for a front yard encroachment and the current height exceeds the Village's height requirements for R-1 Zoning.

Commissioner Jack Yelnick stated that the plan is a great house and the owner is trying to make the plan work for everyone. Mr. Hasan stated that it would be impossible to build a home within the parameters of the buildable area of the lot, which is very restrictive.

Commissioner Denise Ingram stated that the proposed garage is designed on the widest part of the lot instead of living space and the rest of the house would possibly fit in that area with a ten-percent variance. Commissioner Diane Andrews asked Mr. Hasan about the chronology leading up the purchase of the lot on Blackhawk Trail. Mr. Hasan stated that he visited Cavalcade of Homes in Bolingbrook and other suburbs and found the perfect design plan for a new home, he came across a lot for sale by Jovic Builders on Blackhawk Trail and called the builder to inquire about purchasing the lot. Mr. Hasan further stated that Mr. Jovic was interested in selling the lot on Blackhawk Trail. Commissioner Diane Andrews asked Mr. Hasan if he purchased the lot first then developed the plan. Mr. Hasan responded, yes.

Mr. Hasan stated that he was aware that there are many houses in Indian Head Park that are non-conforming existing structures due to unique characteristics of the property and he was under the impression that variances could be obtained. Chairman Schermerhorn asked Mr. Hasan if the proposed style of roof-line and height of the residence was designed for aesthetic purposes or if the increased height of the residence will be utilized for living space. Mr. Hasan and Mr. Eckstein stated that the ridge of the roof-line can be lowered to minimize the variance that would be needed without taking away living space. Chairman Schermerhorn stated that there are drainage issues to be addressed as well as variances concerning this property. The Commission members reviewed the overall plans for the new residence at 6449 Blackhawk Trail and provided suggestions to Mr. Hasan and Mr. Eckstein to reduce the height of the residence and to redesign the plan to minimize the variances that would be needed. Mr. Hasan stated that he did not realize that there would be a problem with building on the lot given the size of the property.

After review of the preliminary plans and discussion by the Planning and Zoning Commission members; the following suggestions were made to Mr. & Mrs. Hasan, the owners of the property located at 6449 Blackhawk Trail: (1) a Site Development Plan showing elevations must be provided to the Village for review; (2) possibly the rear line of the building can be moved forward to the 40' line; that would result in about a ten percent rear yard variation; (3) moving the structure forward would result in about a ten percent font yard variance; (4) the contour of the land and topographical site conditions must be reviewed by the Village engineer as it relates to drainage issues and;

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(5) revised architectural plans showing the proposed placement of the new structure and the distances from all lot lines must be provided to the Village for review before a public hearing before the Planning and Zoning Commission can be scheduled to determine the variances that would be needed.

Chairman Schermerhorn asked Mr. Eckstein to accurately reflect the ordinance defined buildable area of the property on the site plan as it relates to the Village of Indian Head Park codes. Mr. Eckstein stated that his engineer will visit the site to re-survey the lot and the proper setback lines will be updated on the survey.

Mr. Eckstein stated that he would discuss the changes with Mr. Hasan and that revised drawings and site elevations will be prepared and submitted to the Village for review. Mr. Hasan inquired if a public hearing can be scheduled at this time before the Commission for this matter to be considered at the next meeting. The Planning and Zoning Commission members stated that a public hearing can be scheduled before the Commission once all of the necessary paperwork and revised plans are submitted to the Village for review.

**REVIEW AND APPROVAL OF PLANNING AND ZONING COMMISSION
MEETING MINUTES (DISCUSSION AND A POSSIBLE VOTE MAY TAKE
PLACE)**

★ *Minutes of the Planning and Zoning Commission Meeting held March 6, 2007*

Upon review of the minutes presented from the meeting held on Tuesday, March 6, 2007, Commissioner O'Malley moved, seconded by Commissioner Yelnick, to approve the March 6, 2007 meeting minutes, as amended. Carried by unanimous voice vote (5/0/1).

VI. ADJOURNMENT

There being no further business to discuss before the Commission, Chairman Schermerhorn entertained a motion to adjourn the meeting. Commissioner Bailey moved, seconded by Commissioner Yelnick to adjourn the meeting at 8:40 p.m. Carried by unanimous voice vote (5/0/1).

Respectfully Submitted,
Kathy Leach, Recording Secretary