

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525**

**MINUTES
VILLAGE OF INDIAN HEAD PARK
PLANNING AND ZONING COMMISSION
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, February 4, 2014

7:30 P.M.

CALL TO ORDER – CHAIRMAN DENNIS SCHERMERHORN

A Planning and Zoning Commission workshop meeting was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, February 4, 2014, at the Municipal Facility, 201 Acacia Drive. The meeting was convened at 7:30 p.m. by Chairman Dennis Schermerhorn.

ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):

Chairman Dennis Schermerhorn
Commissioner Noreen Costelloe
Commissioner Timothy Kyzivat
Commissioner Earl O’Malley
Commissioner Jack Yelnick

ALSO PRESENT:

Amy Wittenberg, Zoning Trustee

NOT IN ATTENDANCE:

Commissioner Diane Andrews
Commissioner Robert Tantillo

PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Dennis Schermerhorn and the Planning and Zoning Commission members recited 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”.***

ZONING AGENDA ITEMS: (discussion and a possible vote may take place)

1. Commission Discussion Regarding Revisions to the Village of Indian Head Park Zoning Ordinance.

Chairman Schermerhorn stated the purpose of the workshop meeting this evening is to explore possible revisions to the Village’s zoning ordinance, Title 17, Zoning as well as the Village’s planning document so we can move forward and the Village can pursue in an organized manner that would be advantageous for economic development.

Chairman Schermerhorn stated the Commission will review collectively various pages of Title 17, Zoning to discuss possible changes that can be incorporated into the zoning code for consideration by the Village Board of Trustees at a later date. He noted the process will be once the Commission members are satisfied that the various sections have been addressed in the zoning ordinance it will be incorporated into the document to present to the Village Board as recommendations for changes that the Commission believes need to be made. He noted those suggested changes will also need to be reviewed by legal counsel and also the advice of the Village Engineer, if there are changes that would affect any engineering issues.

Chairman Schermerhorn stated after the proposed changes are discussed, they will be reviewed and another document will be prepared with a report to be provided to the Village Board at possibly the March meeting.

Chairman Schermerhorn thanked Zoning Trustee Wittenberg for her work on the Village's planning document and in providing her suggestions and additions so it can be updated. He added Superintendent Ed Santen was also taking a look at possibly updating the Village's infrastructure plan since that information would be useful to use in the Village's planning document.

Commissioner O'Malley stated he is in favor of updating language in the document but not changing the intent of the definitions.

Chairman Schermerhorn and the Commission members reviewed various pages of **Title 17, Zoning** that include some typographical suggested changes on the index page as well as text changes in the definition sections of the code as follows:

Page 263, discussion by the Commission included "correcting any typographical errors without changing content". **Page 269, Title 17**, Definitions are an important part of the code that defines what is allowed. **Page 271, Title 17** "automobile compound" discussion by the Commission included "does it apply to zoning in a commercial or residential district or redact." **Page 272, "Buildable Area"** discussion by the Commission included "buildable area is defined in each in each residence district and we need language that maybe more clearly defines that area. All Commissioners agree" discussion by the Commission included "**Building Height**" "the definition reference is outdated and needs updating. Chairman Schermerhorn suggested the Commission consider possibly increasing the allowable height that currently is twenty-five feet (25') up to the average median range in the R-1 Residence District. The suggestion is to define the calculation of where the height is determined more clearly and maybe the measurement could be taken from the middle of the buildable area. Commissioners O'Malley and Costelloe stated the height is referenced in the code from the natural grade opposite the middle of the structure. Chairman Schermerhorn stated the average land elevation should be front to back in the buildable area not necessarily the building. Commissioner Yelnick stated the height should be defined from front to middle instead of front to back because otherwise it would be difficult to build on a lot. Chairman Schermerhorn stated every lot has a buildable area to build within without needing a variance.

The average elevation of the buildable area can be used for height as a reference point to the peak or top of the roof line of the structure and that measurement can be used for calculation. Commissioner O'Malley stated Commissioner Andrews mentioned previously we have many different areas and some homes were designed lower. Chairman Schermerhorn pointed out many newer homes being built have higher building ceilings and there are some challenges with height requirements. Commissioner Kyzivat stated there are some properties that have unique circumstances and we need to know where the measurement will be taken for height in residential areas so it does not discourage development while maintaining the surroundings of the area. Commissioner Yelnick stated there are properties on Hiawatha Lane that have some lot restrictions. He asked the Commission members for their suggestions to continue the discussion at the next meeting. **Page 273**, "no changes", **Page 274**, "definition of cellar" discussion by the Commission included "defining cellar more clearly". **Page 275, Fence**, discussion by the Commission included "fence should be defined as a structure not an enclosure". Commissioner Yelnick stated there was an instance when a property owner needed a boundary fence around their property for a child with disabilities. At that time Title 17, Zoning was amended and regulations were incorporated as well as accommodations for persons with disabilities to comply with ADA requirements. **Page 276**, discussion by the Commission included "no mention about boats or trailers and possibly that could be incorporated". Commissioner Kyzivat asked if there is a reference in the code. It was noted the commercial and recreational vehicle and parking section of the Municipal Code sets forth regulations for boats, trailers and RV's in residential district areas but it is a separate section of the code and only allowed certain times of the year from May to October. Commissioner O'Malley stated a resident in his area has a boat stored on their property. **Page 277**, "no changes", **Page 278**, "no changes", **Page 279**, discussion by the Commission included "safety railing should be more clearly defined as it relates to someone who might need a safety fence for an in-ground pool". It was noted that the fence regulations from **Title 17, Zoning** regarding safety fences for in-ground pools was incorporated into **Title 15, "Swimming Pools"** so someone would not require a variance for a safety fence under those circumstances. The railing requirement for decks and related structures is also defined under the building code requirements.

Page 280, discussion by the Commission included “there seems to be a reference on that page about flying an American Flag so that needs to be defined better.” **Page 281**, “no changes”, **Page 282**, “no changes”, **Page 283**, “no changes”. **Page 284** “no changes”, **Page 285**, discussion by the Commission included “the definition of sidewalks was discussed and should this reference be updated”. Commissioner Yelnick stated the sidewalk along Plainfield Road was implemented with assistance from Dartmoor Homes who funded the project, many people use it to connect to Wolf Road and he would be in favor of a sidewalk along Wolf Road. Commissioner O’Malley stated the sidewalk along Wolf Road to Acacia from Ashbrook was a nice addition also. Commissioner Costelloe stated in general she is not opposed to a sidewalk in a residential area. Chairman Schermerhorn pointed out Wolf Road is a County road and they maintain jurisdiction for any work in their rights-of-way”. **Page 286**, discussion by the Commission included “special uses” there is an incorrect reference. Commissioner O’Malley stated when the Village installed the fence on the back side and along the side of the Heritage Center and it was so close to Wolf Road we had to take a section down. He asked why there was ever a fence installed in a residential area. It was noted because there is an asphalt circular driveway around the building and a home behind the Heritage Center the fence was installed to provide screening and for safety. **Page 287** discussion by the Commission included “the reference to fences states the fence should be constructed of weather resistance wood, cedar or other materials” Commissioner Kyzivat stated there are many maintenance free materials being used today so maybe that could be incorporated. Discussion by the Commission included “non-conforming uses”. Chairman Schermerhorn stated there may be some non-conforming issues. It was noted there may be some existing non-conforming structures since some homes were built prior to the zoning code being established. **Page 288**, discussion by the Commission included “the reference to Zoning Board of Appeals”. Chairman Schermerhorn stated the Zoning Board of Appeals is no longer in existence so the reference should be updated in all sections to refer to the Planning and Zoning Commission. **Page 303**, discussion by the Commission included “Findings of Fact”. Chairman Schermerhorn stated since Findings of Fact do not pertain to commercial properties possibly a reference could be added to that section.

Trustee Wittenberg asked if there is a reference to personal wind turbines and geothermal sources of energy to prohibit those types of energy sources in residential districts. She added in farming communities those energy sources are acceptable but we do not want that in residential areas. It was noted there is no reference in Title 17, Zoning but it may be referenced in the Energy Conservation Code or BOCA Codes adopted by the Village.

Chairman Schermerhorn and the Commission members continued to review various pages of ***Title 17, Zoning*** that include some typographical suggested changes on the index page as well as text changes in the definition sections of the code as follows:

Page 304, discussion by the Commission included “authorized variances”. Chairman Schermerhorn stated the section can possibly be modified for future discussion. **Page 306**, “no changes”, **Page 307**, “no changes” **Page 308**, “fees” that section has already been updated. **Page 312**, “residence districts generally”, “no changes”, **Page 314**, discussion by the Commission included “consideration of creating an R1A zoning district and to define that area”, **Page 316**, discussion by the Commission included “Building Height”, “to be addressed at the next meeting;”, “ground floor area per dwelling”, discussion by the Commission included “the current code stated ground floor area of 1,750 square feet. The Commission will consider amending that section since larger homes are being built”, “rear yard” “discussion by the Commission included “the current requirement is 40% of the average lot depth”. It was noted there are a number of properties that have 150’ to 200’ in depth. The Commission may wish to consider an adjustment to that requirement for the rear yard setback. “permitted obstructions of single family detached structures” discussion by the Commission included “ the word obstructions should be replaced with encroachments”. The R2, R3 and R4 Zoning Districts as well as Business Districts will be reviewed at a later date to allow more time for review of the documents. Chairman Schermerhorn stated most business districts will require a special use for one reason or another as it is developed so further evaluation would be required. Commissioner Costelloe stated the planning process should be considered in the business districts before the zoning is reviewed and what needs to be changed. **Page 365**, “Open Land Districts” discussion by the Commission included “does this reference still apply since there are no open land districts.

The Commission will leave this reference in the code since there may be some areas of the Village where there is open land but not designated on the zoning map.

Chairman Schermerhorn asked if everyone has a current zoning map last published. Since there have been no boundary or rezoning changes the current zoning map is from 2007. Chairman Schermerhorn and the Commission members discussed the lots on Hiawatha Lane and Sequoya Lane which have long narrow lots and many times a variance is needed to build on those lots. Chairman Schermerhorn asked if Hiawatha Lane and Sequoya lots should be in a different zoning district such as R1A. Commissioner Yelnick stated it is a good idea since most lots on Hiawatha and some on Sequoya have some setback issues and there will be more teardowns and new homes constructed. It was noted the Commission has granted several variances in these two areas due to lot constraints with height and side yard setbacks.

Commissioner O'Malley stated there are many unusual lot setback issues on Hiawatha Lane and there are some unique circumstances. It was noted there are some other R1 properties in town that also have a recorded front yard setback of 25 feet instead of the required 40 feet front yard setback. The Commission will consider the concept of creating an R1A zoning district for certain areas in the Village.

2. Commission Discussion Regarding Revisions to the Village of Indian Head Park Planning Documents.

Chairman Schermerhorn suggested the Comprehensive Plan be reviewed at the next meeting.

PUBLIC COMMENTS FROM THE AUDIENCE

There were no public comments from the audience.

APPROVAL OF PLANNING AND ZONING COMMISSION MEETING MINUTES

After review of the minutes from the meeting held November 5, 2013 Commissioner O'Malley moved, seconded by Commissioner Costelloe, to approve the November, 2013 meeting minutes, as amended. Carried by unanimous voice vote (4/0/2).

PZC Minutes
February 4, 2014

After review of the minutes from the meeting held December 3, 2013 Commissioner Kyzivat moved, seconded by Commissioner Yelnick, to approve the December, 2013 meeting minutes, as amended. Carried by unanimous voice vote 4/0/2. Carried by unanimous voice vote (4/0/2).

ADJOURNMENT

There being no further business to discuss before the Commission, Commissioner Costelloe moved, seconded by Commissioner O'Malley, to adjourn the meeting at 9:05 p.m. Carried by unanimous voice vote (4/0/2).

Minutes prepared and submitted by,
Kathy Leach, Recording Secretary
Planning and Zoning Commission