

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

**MINUTES
VILLAGE OF INDIAN HEAD PARK
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS**

“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 26, 2007

7:30 P.M.

I. CALL TO ORDER -DENNIS SCHERMERHORN, CHAIRMAN

A public hearing was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, June 26, 2007, at the Municipal Facility, 201 Acacia Drive. Chairman Schermerhorn noted that Zoning Petition #163 regarding 109 Glenbrook Court and Zoning Petition #164 regarding 11155 Glenbrook Lane, for amendments to the Ashbrook Development Planned Unit Development will be discussed this evening. He noted that a workshop meeting will follow the public hearings concerning proposed plans for a pool house at 6450 Pontiac Drive. 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 Denise Ingram
Commissioner Earl O’Malley

NOT PRESENT:

Commissioner Noreen Costelloe
Commissioner Jack Yelnick

ALSO PRESENT:

Debbie Anselmo, Zoning Trustee
Carol Coleman, 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. Petition #163 – A Petition for an Amendment to the Ashbrook Development Planned Unit Development Regarding an Addition to the Residence for the Property Located at 109 Glenbrook Court, Indian Head Park.

Chairman Schermerhorn noted that an application for a zoning amendment to the Ashbrook Development Planned Unit Development was filed with the Village to allow for an addition to a single family residence located at 109 Glenbrook Court. The following exhibits were presented and reviewed by the Commission concerning this zoning petition: (1) a zoning petition form dated May 22, 2007 signed by Richard Rafanelli requesting an amendment to the Ashbrook Development P.U.D; (2) a letter of approval from the Ashbrook Estate Homes Association dated April 24, 2007; (3) a plan review report dated May 17, 2007 prepared by the Village's plan review consultant; (4) a list of adjacent property owners within two hundred feet of the subject property; (5) a copy of a Plat of Survey of the subject property; (6) a notice of publication in the Suburban Life Newspaper; (7) a copy of the letter that was sent to the adjacent property owners dated June 6, 2007; (8) a memo to public works regarding posting of the zoning sign; (9) proposed plans for an addition to the residence at 109 Glenbrook Court.

Mr. Rafanelli stated that he and his wife are present this evening to seek an amendment to the Ashbrook Development P.U.D. to allow for an addition to their residence with an interior elevator on the northeast corner of the residence at 109 Glenbrook Court. He noted that the elevator shaft structure will consist of a two story addition to the northeast corner of the home that complies with Village codes, the interior elevator will service the basement, first floor and second floor and the elevator is required for the medical needs of a family member. Mr. Rafanelli stated that the architectural firm of Styczynski Walker Associates designed the plans and Lake Brothers Construction will build the addition. For the record, it was noted that the

*PZC Minutes
June 26, 2007*

proposed elevator plans and final shop drawings were also reviewed and approved by Thompson Elevator Inspection Services, the Village's consultant.

Chairman Schermerhorn noted that there were no letters received by the Commission either in favor of the amendment or opposed with regard to Petition #163. Commissioner Diane Andrews stated that she visited the property, it appears there is a large side yard to accommodate the addition and the neighbor does not seem to be against the proposed addition.

Chairman Dennis Schermerhorn and the Commission members reviewed the following Findings of Fact with regard to the residential property at 109 Glenbrook Court to evaluate evidence presented in response to the following criteria before recommending a variation, as required by the Village's Zoning Ordinance, ***Title 17 Zoning, Section 17.23.060E***: (1) that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located (not applicable -- this reference pertains only to commercial properties); (2) the plight of the owner is due to unusual circumstances (all commissioners agree); (3) the variation, if granted, will not alter the essential character of the locality (all commissioners agree); (4) 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 (all commissioners agree); (5) the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification (all commissioners disagree); (6) the purpose of the variation is not based upon a desire to make money out of the property (all commissioners agree); (7) the alleged difficulty or hardship has not been created by any person presently having an interest in the property (all commissioners agree); (8) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located (all commissioners agree); (9) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood (all commissioners agree).

Commissioner Andrews moved, seconded by Commissioner O'Malley, to accept the findings of fact with regard to the zoning matter before the Planning and Zoning Commission this evening. Motion carried by unanimous roll call vote (4/0/2).

Aye: Chairman Schermerhorn and Commissioners: Andrews, Ingram, O'Malley

Nay: None

Absent: Costelloe, Yelnick

Chairman Schermerhorn entertained a motion to submit a recommendation to the Village Board to accept the petition as presented for approval.

*PZC Minutes
June 26, 2007*

Commissioner Andrews moved, seconded by Commissioner Ingram, to submit a recommendation to the Village Board for approval of an amendment to the Ashbrook Development Planned Unit Development to allow for an addition to the residence at 109 Glenbrook Court. Carried by unanimous roll call vote (4/0/2).

Aye: Chairman Schermerhorn and Commissioners: Andrews, Ingram, O'Malley

Nay: None

Absent: Costelloe, Yelnick

Chairman Schermerhorn stated that a report will be presented to the Village Board at the next meeting and a recommendation will be provided to approve granting the amendment to the Ashbrook Development Planned Unit Development for the property located at 109 Glenbrook Court.

2. Petition #164 – A Petition for an Amendment to the Ashbrook Development Planned Unit Development Regarding the Reconstruction of an Existing Deck for the Property Located at 11155 Glenbrook Lane, Indian Head Park.

The following exhibits were presented and reviewed by the Commission members concerning Petition #164: (1) the Commission was presented with a petition by Mr. & Mrs. Anthony Pacella, the owners of the property at 11155 Glenbrook Lane, for an amendment to the Ashbrook P.U.D. to allow for the reconstruction of a deck; (2) a letter of approval from the Ashbrook Association Board of Directors dated April, 2007; (3) a plan review report dated April 25, 2007 prepared by the Village's consultant; (4) a list of adjacent property owners within two hundred feet of the subject property; (5) a copy of a Plat of Survey of the subject property; (6) a notice of publication in the Suburban Life Newspaper; (7) a copy of the letter to adjacent property owners dated June 6, 2007; (8) a memo to public works regarding posting of the zoning sign; (9) proposed plans for a deck at 11155 Glenbrook Lane.

Mrs. Edy Pacella stated that she is present this evening to discuss the plans to reconstruct an existing deck on the back of her home at 11155 Glenbrook Lane within the same dimensions that were previously approved by the Ashbrook Planned Unit Development. Mrs. Pacella stated that the only change to the plan is to install a permanent roof structure over the top of the deck due to the southern exposure on that side of house. An amendment to the Ashbrook P.U.D. is being requested for the roof because decks generally cannot be covered according to the Village's Building Code. Mrs. Pacella stated that the contractor she retained is familiar with the Village codes and he also constructed the raised porch on the Stefanini residence in Ashbrook a few years ago.

Commissioner Diane Andrews inquired if the roof structure will extend over the stairs at the end of the deck. Mrs. Pacella stated that the plans sent to the Commission reflect the design specifications, the roof will end where the railing is located and there will be no overhangs. Commissioner Andrews asked Mrs. Pacella if there are any plans in the future to enclose the deck structure. Mrs. Pacella stated there are no plans to enclose the deck; only to add a roof structure and the deck will be constructed in the same dimensions that were previously approved by the Ashbrook P.U.D. requirements. The Commission noted that an amendment to the Ashbrook P.U.D. was also granted previously for structural canopy awnings on the townhome units within Ashbrook.

Chairman Dennis Schermerhorn and the Commission members reviewed the following Findings of Fact with regard to the residential property at 11155 Glenbrook Lane to evaluate evidence presented in response to the following criteria before recommending a variation, as required by the Village's Zoning Ordinance, ***Title 17 Zoning, Section 17.23.060E***: (1) that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located (not applicable -- this reference pertains only to commercial properties); (2) the plight of the owner is due to unusual circumstances (all commissioners agree); (3) the variation, if granted, will not alter the essential character of the locality (all commissioners agree); (4) 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 (all commissioners agree); (5) the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification (all commissioners disagree); (6) the purpose of the variation is not based upon a desire to make money out of the property (all commissioners agree); (7) the alleged difficulty or hardship has not been created by any person presently having an interest in the property (all commissioners agree); (8) the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located (all commissioners agree); (9) the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood (all commissioners agree).

Commissioner Andrews moved, seconded by Commissioner Ingram, to accept the findings of fact with regard to the zoning matter before the Planning and Zoning Commission this evening. Motion carried by unanimous roll call vote (4/0/2).

Aye: Chairman Schermerhorn and Commissioners: Andrews, Ingram, O'Malley

Nay: None

Absent: Costelloe, Yelnick

*PZC Minutes
June 26, 2007*

Commissioner O'Malley moved, seconded by Commissioner Andrews, to present a recommendation to the Village Board to approve an amendment to the Ashbrook Development P.U.D. to allow for the reconstruction of a deck with a roof covering, subject to the following conditions: (1) that the deck will not be screened or enclosed and (2) the deck will meet all other applicable requirements of Village codes. Carried by unanimous roll call vote (4/0/2).

Aye: Chairman Schermerhorn and Commissioners: Andrews, Ingram, O'Malley

Nay: None

Absent: Costelloe, Yelnick

Chairman Schermerhorn stated that a report will be presented to the Village Board at the next meeting and a recommendation will be provided to approve granting the amendment to the Ashbrook Development Planned Unit Development for the property located at 11155 Glenbrook Lane.

PUBLIC COMMENTS FROM THE AUDIENCE

None

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 June 5, 2007*

Upon review of the minutes presented from the meeting held on Tuesday, June 5, 2007, Commissioner Andrews moved, seconded by Commissioner Ingram, to approve the June 5, 2007 meeting minutes, as presented. Carried by unanimous voice vote (4/0/2).

INFORMAL WORKSHOP MEETING

- ***Discussion Regarding Concept Plans for a Proposed Pool House for the Property Located at 6450 Pontiac Drive.***

Chairman Dennis Schermerhorn stated that Mr. & Mrs. Mario Licitra, the owners of the property at 6450 Pontiac Drive, are present this evening to discuss proposed plans for a pool house in the backyard of their property. He noted there is an existing in-ground pool structure on the property.

Mr. Licitra provided a Plat of Survey of his property reflecting all existing structures. He noted that since his home was built and the in-ground pool was added, there is a need for a pool house building close to the pool for a changing area and bathrooms.

Mr. Licitra stated that there is Oak flooring in the kitchen area of the residence where most of the guests come through from the pool area, the floors become very slippery when wet and there have been a few falls. Mr. Licitra stated that various areas to construct the pool house were explored in the rear yard of the property. He noted that the first proposal for the pool house would result in an encroachment of about eleven feet (11') however, that location of the pool house would create a problem in the winter months with snow from the roof icing up on the concrete areas between the back of the house and the pool.

Mr. Licitra stated that after meeting with his architect, the ideal location would be in the north portion of the existing pool which is located between the northeast and northwest fence post. He added that this area will not obstruct the house walkway, the entrance to the garage, access to the driveway and concrete patio. Mr. Licitra noted that the pool house structure, as proposed would be detached from the primary residence and encroaches into the rear yard setback of the property by approximately thirty-eight feet (38'). Chairman Schermerhorn stated that there are limitations for detached buildings and the code dictates that those types of structures must be within the buildable area of a property. Mrs. Licitra stated that the thoughts for a pool house were not considered at the time the pool was built about 8 years ago, however, there is a present need for the pool house building to allow guests the best access to facilities without the danger of falling on slippery floors.

Chairman Schermerhorn stated that the Village has a zoning code in place to maintain some consistency in the Village and the detached building section was incorporated to set forth regulations for these types of structures. Chairman Schermerhorn stated that with additions to residences, within certain limitations and for certain reasons, an extension of the building is easier to adapt within the code, than a free standing building extending beyond the buildable area. Chairman Schermerhorn asked why the pool house addition could not be added at the end of the garage attached to the primary residence. Mr. Licitra stated that he discussed some of these possible locations for the pool house with his architect and the problem is the rear door and a window well that might be covered. Chairman Schermerhorn stated that the pool house attached to the primary residence, as discussed, would result in approximately an eleven foot encroachment.

Mr. Licitra stated that he is trying to accomplish that the proposed pool house will match the existing architecture and structure of his Victorian home. Commissioner Andrews stated that unattached structures that are permitted in the buildable area of a property are garages, sheds, and playhouses and a pool house structure is not even defined in the code. Mrs. Licitra asked if someone has an in-ground pool, is a pool house part of a safety feature. Commissioner Andrews stated that the fence that is required around in-ground pools is for safety purposes. The

PZC Minutes
June 26, 2007

Commission members suggested that there is a lot of space in the buildable area to redesign the plan without requesting a variance.

Mr. Licitra stated that by adding an addition attached to the house for the pool house it will take away from the look of the house. The Commission suggested that the plan be redesigned to fit within most of the buildable area of the property within the current code requirements. Mr. Licitra asked how the buildable area of a lot is determined. The Commission members stated that the two side measurements on the Plat of Survey are divided and that number will be the 40% of the average rear lot depth. Chairman Schermerhorn stated that the minimal variances are granted for encroachments of structures that are attached to a primary residence. Trustee Carol Coleman commented that possibly the square footage of the entire structure can be reduced and attached to the primary residence to minimize any encroachments. The Commission members provided several suggestions to accomplish the pool house project possibly within the buildable area.

VI. ADJOURNMENT

There being no further business to discuss before the Commission, Chairman Schermerhorn entertained a motion to adjourn the meeting. Commissioner Andrews moved, seconded by Commissioner Ingram, to adjourn the meeting at 8:35 p.m. Carried by unanimous voice vote (4/0/2).

Respectfully Submitted,
Kathy Leach, Recording Secretary
Planning and Zoning Commission