

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

**MINUTES  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING  
PETITION #154  
VILLAGE OF INDIAN HEAD PARK  
REZONING OF MUNICIPAL PROPERTY FROM R-1 TO B-3  
VACANT LAND LOCATED ON THE WEST SIDE OF VINE STREET**

*“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, August 1, 2006**

**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, August 1, 2006, at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Chairman Dennis Schermerhorn.

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

Chairman Dennis Schermerhorn  
Commissioner Diane Andrews  
Commissioner Noreen Costelloe  
Commissioner Earl O’Malley

**NOT PRESENT:**

Commissioner Brian Bailey  
Commissioner Denise Ingram  
Commissioner Jack Yelnick

**ALSO PRESENT:**

Richard Andrews, Zoning Trustee Liaison  
David Brink, Administrative Services, Village of Indian Head Park

**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”*.

#### **IV. PUBLIC HEARING REGARDING A PETITION FOR REZONING OF MUNICIPAL PROPERTY FROM R-1 TO B-3 LOCATED ON THE WEST SIDE OF VINE STREET, INDIAN HEAD PARK**

Chairman Schermerhorn convened the public hearing regarding a petition for rezoning of municipal property located on the west side of Vine Street in the Village of Indian Head Park. The present zoning of the property is R-1 Residential.

#### **V. PUBLIC COMMENTS**

Chairman Dennis Schermerhorn noted that David Brink, Administrative Services, from the Village of Indian head Park will present a request to the Planning and Zoning Commission for rezoning of municipal property from R-1 to B-3. The following exhibits were presented and viewed by the Commission members concerning Petition #154: (1) a zoning petition form dated July 10, 2006, signed by Frank Alonzo, Village Administrator for the Village of Indian Head; (2) a certificate of publication of the legal notice that appeared in the Suburban Life Newspaper on Saturday, July 15, 2006; (3) a copy of the letter sent to adjacent property owners within two-hundred feet (200') of the subject property dated July 13, 2006; (4) a list of adjacent property owners; (5) a memo to the Public Works Department dated July 12, 2006 regarding posting of the zoning sign; (6) a plat of survey of the subject property.

David Brink, Administrative Services for the Village of Indian Head Park stated that he is present this evening on behalf of the Village to present the petition for rezoning of municipal property located on the west side of Vine Street in the Village of Indian Head Park. He noted: (1) a request for rezoning from R-1 to B-3 was submitted to the Commission; (2) the rezoning to B-3 is consistent with the surrounding area and other parcels in the area that have been rezoned from R-1 to B-3 in the triangle area; (3) the rezoning to B-3 is consistent with the Village of Indian Head Park Comprehensive Plan. Chairman Schermerhorn noted that properties to the north and south of the subject property are presently zoned B-3.

Chairman Schermerhorn stated that B-3 is consistent with the Comprehensive Plan and other uses and zoning in the area. He noted that rezoning of other parcels from R-1 to B-3 in the same general area have been granted previously.

Chairman Schermerhorn entertained a motion to accept the zoning petition as presented. Commissioner Costelloe moved, seconded by Commissioner Andrews, to accept the petition. Carried by unanimous roll call vote (4/0/3).

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*Aye: Chairman Schermerhorn and Commissioners: Andrews, Costelloe, O'Malley,  
Nay: None  
Absent: Bailey, Ingram, Yelnick*

Chairman Dennis Schermerhorn and the Commission members reviewed the following Findings of Fact with regard to the rezoning of municipal vacant land from R-1 to B-3 to evaluate evidence presented in response to the following criteria before providing a recommendation for rezoning as required by the Village's Zoning Ordinance, **Title 17, Zoning**.

(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 property variations and not rezonings); (2) the plight of the owner is due to unusual circumstances (all commissioners agree). The surrounding properties in the area are zoned B-3; (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 (not applicable -- this reference pertains only to commercial property variations and not rezonings). (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). The rezoning is applicable and consistent with zoning of other parcels in the area; (6) the purpose of the variation is not based upon a desire to make money out of the property (all commissioners agree). The rezoning is consistent with other properties zoned B-3 in the area; (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 Costelloe, 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 (4/0/3). Commissioners Bailey, Ingram and Yelnick were absent.

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*Aye: Chairman Schermerhorn and Commissioners: Andrews, Costelloe, O'Malley,  
Nay: None  
Absent: Bailey, Ingram, Yelnick*

Prior to the vote by the Commission members, Chairman Schermerhorn noted that there were no adjacent property owners in attendance at the public hearing this evening either in support of or opposed to the requested rezoning of the property located on the west side of Vine Street.

Commissioner Andrews moved, seconded by Commissioner O'Malley, to make a favorable recommendation to the Village Board to grant the rezoning of municipal property located on the west side of Vine Street from R-1 to B-3 as presented. Motion carried by unanimous roll call vote (4/0/3).

*Aye: Chairman Schermerhorn and Commissioners: Andrews, Costelloe, O'Malley,  
Nay: None  
Absent: Bailey, Ingram, Yelnick*

Chairman Schermerhorn stated that the recommendations for approval of this zoning request will be presented to the Village Board at the next Village Board meeting.

## **VI. ADJOURNMENT**

There being no further business to discuss before the Commission, Chairman Schermerhorn entertained a motion to adjourn the public hearing regarding Petition #154. Commissioner Costelloe moved, seconded by Commissioner Andrews to adjourn the public hearing at 7:45 p.m.. Carried by unanimous voice vote (4/0/3).

Respectfully Submitted,  
Kathy Leach, Recording Secretary

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