

Village of Hecker
Zoning Board of Appeals Hearing
Location: Hecker Village Hall Council Chambers
Date: Tuesday September 3, 2013
Time: 8:00 p.m.

Chairman Pam Redden – Called the meeting to order with Pledge of Allegiance

Secretary Joan Wittenauer - Roll Call:

Angel Andrews-__x__

Mark Grohmann - __x__

Deanna Louveau - __x__

Mark Maddox-__x__

John Miller-__x__

Pam Redden-__x__

Joan Wittenauer-__x__

All members of the board being present. we have a quorum.

Chairman Redden read: Notice of the meeting was published on August 14, 2013 in The Waterloo Republic Times, and mailed by certified mail on August 12, 2013 to the applicant Monroe County Apartments 4 Association and by regular first class mail to the adjoining landowners listed on the certificate of mailing as will be attached to the original minutes.

- a. Pursuant to Illinois statute, all testimony in this hearing will be given under oath. The witness will be seated next to the court reporter, and questions from the party calling the witness will be asked from the podium.
- b. After a witness has testified, members of the audience will be allowed a reasonable opportunity to cross-examine the witness, limited to those matters to which the witness testified on direct examination. Any questions from the audience will be asked from the podium.
- c. Members of the Zoning Board of Appeals and the Village Attorney will also be allowed to cross-examine any witness.
- d. At the conclusion of the testimony, members of the audience will also be given the opportunity to make unsworn comments to the Zoning Board of Appeals, either supporting or opposing the requested permit. Pursuant to the ordinance adopted by the Village in 2012, any person wishing to make comments shall state his or her

name and address for the record and limit remarks to 10 minutes. Any comments shall be made from the podium.

Sworn testimonies were given by: Robert Cole, Bobbie Walters, and Bob Phillips

Comments both in favor and in opposition of application were heard by members of the audience.

Chairman Redden asked for a motion to move to closed session pursuant to 5 ILCS 120/2 to consider evidence or testimony presented in open hearing to a quasi-adjudicative body.

1st Joan Wittenauer

2nd Angel Andrews

Roll call by secretary to move to a closed session was as follows:

	AYE	NAY
Angel Andrews-___	---X---	-----
Mark Grohmann - ___	---X---	-----
Deanna Louveau - ___	---X---	-----
Mark Maddox-___	---X---	-----
John Miller-___	---X--	-----
Pam Redden-___	---X---	-----
Joan Wittenauer-___	---X---	-----

Time: 10:37 pm

Return from closed session at 11:33 p.m.

Chairman Redden asked for a motion for recommendation to the Board of Trustees for approval of special use permit as requested by applicant, based upon the following considerations:

- a. The proposed design, location and manner of operation of the proposed special use, which is the allowance of four, rather than three, unrelated individuals to reside in a signal family residence, is otherwise identical to the existing allowed use, and therefore will adequately protect the public health, safety, and welfare, and the physical environment;

- b. At this time, the Village has not formally adopted a comprehensive plan; however, because the proposed special use is for residential use of the subject residential property, the proposed special use is consistent with the Village’s zoning plan;
- c. Any effect that the proposed special use might have on the value of neighboring property is unknown, and in any event the requirement of the federal Fair Housing Act that the Village make “reasonable accommodation” would outweigh any potential negative effect on value.
- d. The proposed special use would have no appreciable effect on public utilities and on the traffic circulation on nearby streets, as the proposed use is identical to the existing allowed use;
- e. There are no facilities near the proposed special use (such as schools or hospitals) that require special protection; and
- f. The federal Fair housing Act requires that the Village make “reasonable accommodation” to rules and policies to afford disabled persons equal opportunity to use a dwelling.

Motion failed.

Chairman Redden asked for a motion for recommendation to the Board of Trustees for approval of special use permit as requested by applicant, based upon the following considerations:

Motion was made by:

1st Joan Wittenauer

2nd John Miller

Roll Call vote was as follows:

	AYE	NAY
Angel Andrews-___	-----	---X---
Mark Grohmann - ___	---X---	-----
Deanna Louveau - ___	-----	---X---
Mark Maddox-___	---X---	-----
John Miller-___	---X---	-----
Pam Redden-___	---X---	-----
Joan Wittenauer-___	---X--	-----

Chairman Redden – asked for a motion for recommendation to the Board of Trustees for denial of special use permit as requested by applicant:

1st Angel Angrews

2nd Deanna Louveau

	AYE	NAY
Angel Andrews-___	---X---	-----
Mark Grohmann -___	-----	---X---
Deanna Louveau -___	---X---	-----
Mark Maddox-___	-----	---X---
John Miller-___	-----	---X---
Pam Redden-___	-----	---X---
Joan Wittenauer-___	-----	---X---

A motion to adjourn the meeting was made by:

1st Angel Angrews

2nd John Miller

Meeting adjourned at _____ 11:40_ p.m.

Respectfully submitted by,

Joan Witteanuer

Secretary