

ZONING MEETING

NOVEMBER 24, 2008

The Zoning Committee met on November 24, 2008 at 7:35 p.m. at the Sherman Village Hall to discuss the zoning request of Mr. and Mrs. John Sweeney, to build a duplex on the SE corner of Old Tipton School Road and Andrew Road. Present were committee members, Matt Davidson, Jane Van Hoos, Erich Bloxdorf and Keith Bull. Nancy Zibutis, Zoning Enforcement Officer, was also present. Nine members of the community also attended, in addition to the petitioners, who were also present.

Chairman Matt Davidson opened the meeting for discussion. Mr. Sweeney took the floor and presented their desire to have the subject 1.6 acre, triangular shaped parcel rezoned so as to allow the petitioners to build an “upscale duplex.” Mr. Sweeney explained that he and his wife intended to live in one half of the duplex and Mr. Sweeney’s sister would live in the other half. Mr. Sweeney explained that at this time no plans had been prepared as it was expensive to draw up such plans and that it had already cost approximately \$2,000.00 to have the parcel surveyed. Chairman Davidson reiterated that the purpose of the meeting was to rezone the parcel from its current R-1 status to R-2. Ms. Zibutis asked Mr. Sweeney about access to the parcel, to which Mr. Sweeney explained the official access in from Andrew Road at a culvert that currently exists. Some discussion related to access to place and Chairman Davidson recommended that IDOT be consulted to determine if the current access is proper and meets IDOT standards.

Further discussion took place related to the parcel itself which again was described as 1.6 acres that abuts the Library property. Chairman Davidson asked if members of the audience had questions and Jeff Mitchell asked if the petitioners anticipated additional buildings to which Mrs. Sweeney explained that there would be nothing more than the duplex. Mrs. Sherrock, who advised that she lives three houses from the subject parcel, questioned the way the structure would be situated on the parcel and again asked about access. Mrs. Sweeney advised that the Duplex would be situated on the lot at an angle and that they would like access to the property from both Old Tipton School Road and Andrew Road. Some additional discussion took place regarding this comment and Mrs. Sweeney also advised they had not spoken with any of the potential neighbors. Mr. Don Mumau addressed his concerns about the potential for the duplex to diminish property values in the area and explained that although he would like to have the Sweeney’s as neighbors, he remains concerned about the impact the introduction of a duplex would have on home values in the area. Mrs. Sherrock asked if there was something that could be done that would require the duplex to be “owner occupied,” and stipulate entrances, etc., Ms. Zibutis advised that restrictions may be placed by the board as has occurred in other areas, regarding size, who lives there, etc. It was also explained that the petition assumes the property across from the subject parcel is zoned residential, but it is in fact zoned as B-1 in the water tower area and down to Tipton Estates it is R-3, but that the developer had chose to build R-1. Reference to the zoning map depicting the area as R-3 and B-1 was made. Mr. Sweeney reiterated that the Duplex “will not be shabby” and that it will be “upscale.” Further discussion took place related to fears about property values

and Mr. Bull explained that other fears over similar development have not come to fruition and explained that the owners of neighboring single family homes can sell or rent to people that may be detrimental to existing property values. Mr. Mumau asked how many duplexes does Sherman need and reiterated his objection to the rezoning explaining that his parcel abuts the subject parcel and there are no trees or other buffers. Mr. Plolite asked at what point the petitioners would be required to present detailed plans. Ms. Zibutis explained conditions can be addressed to the full board who would then vote on the proposal and explained that Permission for access on Andrew Road from IDOT would be required even if the proposal was for a single family home. Mayor Clatfelter explained that the Board recommendation is not binding, but is in fact only a recommendation to the full board, and the Board of Trustees requires 2/3 vote to pass and further explained the President of the Board does not vote in zoning matters. Ms. Zibutis asked if the library had standing and if anyone had heard from the Library Board to which Chairman Davidson advised he has spoken with the Chairwoman who want the board to be consistent in their approach to the issue. A motion by Mr. Bloxdorf to approve the zoning change and stipulate the structural design and stipulate the entrance to the property was made, seconded by Ms. Van Hoos. Three votes were in favor of rezoning to R-2 with one vote (Chairman Davidson) in opposition to the rezoning. Mr. Bloxdorf made a motion to adjourn, seconded by Mr. Bull, meeting adjourned at 8:15 p.m.

Because of the holidays and the time needed to prepare to bring the recommendation to the full board, it was determined that the recommendation would likely not be able to be addressed at the next Village Board Meeting scheduled for December 2, 2008, and that the agenda will be posted. All in attendance were advised to watch the website and to call the Village Hall to find out about the date the recommendation would be brought before the full board. Sweeney's advised they are leaving for Florida on December 8th and would not be back until April.