

JAMES CALLERO, CHAIRMAN
GEORGE ALPOGIANIS
ANGELO TROIANI
ALAN WEEL
THOMAS KANELOS
KAREN DIMOND
THOMAS SURACE

The Niles Plan Commission and Zoning Board of Appeals was called to order at 7:30 P.M.

Present along with Chairman Callero were Commissioners Surace, Troiani, Weel, Alpogianis and Kanelos.

Commissioner Dimond was absent.

Joseph Annunzio, Village Attorney, was also absent.

Chairman Callero moved to approve the minutes of February 4, 2008 as presented.

Seconded by Commissioner Weel, on roll call the vote was:

AYES:	4	Surace, Kanelos, Weel, Callero
NAYS:	0	
ABSENT:	1	Dimond
PASSED:	2	Alpogianis, Troiani

There being four affirmative votes the motion carried.

Chairman Callero announced that it has been the practice of the Board that any members desiring to review the upcoming matters on the agenda would meet with Mr. Charles Ostman, Director of Community Development, and Mrs. Kimberly Frederick, Secretary, on the day of the hearing at 1:30 P.M. The purpose of this meeting is to review the sites and the surrounding environment to ascertain conditions which may require special consideration at the subject hearing. Anyone who wishes to accompany the members is invited to meet at the Administration Building, 1000 Civic Center Drive, Niles, Illinois, prior to 1:30 P.M. They will be given the agenda and the locations of the sites to be visited. This public announcement is made to conform with the Open Meetings Act of the State of Illinois and is deemed to be a public notice.

To be heard this evening:

08-ZP-03 – Winston A. Dacuycuy, Mgr., 5748 N. California Ave., Chicago, IL 60659 – Requesting a change in zoning from B-1 to B-1 Special Use to the Niles Zoning Ordinance section VIII (B)(3)(bb) to operate a money remittance service at 8856 N. Milwaukee Ave.

08-ZP-04 – John V. Hickey, Leasing Specialist, 7600 County Line Rd., Burr Ridge, IL 60527 – Requesting a Special Use to section IX (B)(2)(d) to add three antennas on existing tower at 239 Golf Mill.

08-ZP-05 – Abdyl Mehmeti, 3400 W. Montrose Ave., Chicago, IL 60618 – Requesting a variation to Niles Zoning Ordinance section VII (C)(10)

to the rear yard setback from the required 40' to 20.5' (48.5%) to construct a new house at 8210 Newland Ave.

Chairman Callero called for the first matter on the agenda.

08-ZP-03 – Winston A. Dacuycuy, Mgr., 5748 N. California Ave., Chicago, IL 60659 – Requesting a change in zoning from B-1 to B-1 Special Use to the Niles Zoning Ordinance section VIII (B)(3)(bb) to operate a money remittance service at 8856 N. Milwaukee Ave.

Winston A. Dacuycuy, resident of 8427 W. Dempster St., Niles, IL. stepped forward.

Chairman Callero stated please raise your right hand. Do you solemnly swear to tell the whole truth and nothing but the truth?

Mr. Dacuycuy stated I do. I am the Chicago branch manager of RCBC Remittance Services, 5748 N. California Ave., Chicago, IL 60659.

The balance of his statement is largely inaudible due to technical difficulties with the microphone at the podium. This problem continues throughout the rest of tonight's minutes.

Mr. Dacuycuy is requesting a zoning change to operate a money remittance service for residents in the area wiring money to the Philippines. It is strictly for outgoing funds, not incoming. RCBC Remittance Services is a wholly owned subsidiary of one of the Philippines largest universal banks. There are over three hundred branches in the Philippines. They are a strong presence in national and public banking. RCBC Remittance Services formed a corporation in 1991 and now has many branches in the United States including twelve in the Chicago area.

Chairman Callero asked if there was anything else in Mr. Dacuycuy's presentation.

Mr. Dacuycuy stated that was everything.

Chairman Callero asked if there were any questions or comments from any of the Commissioners.

Commissioner Weel asked for a typical scenario when a client walks into their facility. Do customers have checking accounts? Do they wire money out of their checking accounts to the Philippines or do they get money wired into their checking accounts from the Philippines? Or is it kind of a place where they come and pick up the funds?

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Dacuycuy stated it is just like a Western Union type of service.

Mr. Dacuycuy stated the client comes into their location, receives instructions on how to wire money and the transaction is then completed. It is only outgoing funds. No funds incoming.

Chairman Callero asked if there were any other questions or comments from the Commissioners; any questions or comments from anyone in the audience. Let the record show there are no objectors present. At this time testimony is closed and I will entertain a motion.

Commissioner Alpogianis moved that 08-ZP-03 – Winston A. Dacuycuy, Mgr., 5748 N. California Ave., Chicago, IL 60659 – Requesting a change in zoning from B-1 to B-1 Special Use to the Niles Zoning Ordinance section VIII (B)(3)(bb) to operate a money remittance service at 8856 N. Milwaukee Ave. be **approved**.

Seconded by Commissioner Kanelos, on roll call the vote was:

AYES: 5 Surace, Kanelos, Weel, Alpogianis, Troiani
NAYS: 0
ABSENT: 1 Dimond

There being five (5) affirmative votes the motion carried.

Chairman Callero stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate our decision and it will be necessary for the petitioner to contact Mr. Charles Ostman, Director of Community Development, and ask to be placed on the Board of Trustees agenda and you will be notified of the date. Anyone in the audience who would like to be informed as to the date of this hearing by the Board of Trustees, leave your name and address with our secretary and she will notify you.

Chairman Callero called for the second matter on the agenda.

08-ZP-04 – John V. Hickey, Leasing Specialist, 7600 County Line Rd., Burr Ridge, IL 60527 – Requesting a Special Use to section IX (B)(2)(d) to add three antennas on existing tower at 239 Golf Mill.

John V. Hickey, 7600 County Line Rd., Burr Ridge, IL 60527 stepped forward.

Chairman Callero stated please raise your right hand. Do you solemnly swear to tell the whole truth and nothing but the truth?

Mr. Hickey stated I do. I am here on behalf of Cricket Communications requesting a special use to build a communications facility on an existing water tower at 239 Golf Mill Center.

(inaudible)

Cricket is building out a network in the Chicago area. Unlike other carriers they provide a month to month contract. Cricket is building out about 800 sites in the Chicagoland area. We normally like to go on existing structures. The water tower at Golf Mill Shopping Center works for their network.

Chairman Callero asked if there was anything else in Mr. Hickey's presentation.

Mr. Hickey stated no.

Chairman Callero asked if there were any questions or comments from any of the Commissioners.

Commissioner Troiani stated according to our Municipal Services Incorporation organization (our professional consultants) the Village hires to go over and check out all the particulars and specifications, they make a recommendation to fence in the buildings and the structures on the lower floors to eliminate vandalism and intruders.

Mr. Hickey stated he is willing to accommodate the Village; however Cricket in only one of three carriers atop that tower.

Commissioner Troiani stated unfortunately we don't have the other carriers here so are you going to fence them?

Chairman Callero and Commissioner Weel interjected that is not Mr. Hickey's responsibility. It is the responsibility of the Golf Mill Shopping Center management company. Even if Cricket wanted to fence it in they cannot do that without the permission of the Golf Mill management company.

Commissioner Troiani stated I just want to make sure it's done. We don't want to hold this up until we hear from Golf Mill, do we?

There is a representative from Golf Mill in the audience.

Chairman Callero stated it doesn't matter what the representative promises – whether he says he's going to fence it or not. We have to make it part of the petition to require the fencing.

Michael Williams, Senior General Manager at Golf Mill Shopping Center, General Growth Properties, Inc. stepped forward. I have talked to Charles Ostman, Director of Community Development and Rich Wlodarski, Assistant Director of Community Development, and we will be in compliance with whatever way you want to word it in the petition.

Chairman Callero asked if there were any other questions or comments from the Commissioners; any questions or comments from anyone in the audience. Let the record show there are no objectors present. At this time testimony is closed and I will entertain a motion.

Commissioner Weel moved that 08-ZP-04 – John V. Hickey, Leasing Specialist, 7600 County Line Rd., Burr Ridge, IL 60527 – Requesting a Special Use to section IX (B)(2)(d) to add three antennas on existing tower at 239 Golf Mill be **approved** subject to fencing required by our Community Development Department.

Seconded by Commissioner Alpogianis, on roll call the vote was:

AYES:	5	Surace, Alpogianis, Kanelos, Weel, Troiani
NAYS:	0	
ABSENT:	1	Dimond

There being five (5) affirmative votes the motion carried.

Chairman Callero stated this Board is a recommending Board to the Board of Trustees who can either confirm or negate our decision and it will be necessary for the petitioner to contact Mr. Charles Ostman, Director of Community Development, and ask to be placed on the Board of Trustees agenda and you will be notified of the date. Anyone in the audience who would like to be informed as to the date of this hearing by the Board of Trustees, leave your name and address with our secretary and she will notify you.

Chairman Callero called for the third matter on the agenda.

08-ZP-05 – Abdyl Mehmeti, 3400 W. Montrose Ave., Chicago, IL 60618 – Requesting a variation to Niles Zoning Ordinance section VII (C)(10)

**to the rear yard setback from the required 40' to 20.5' (48.5%) to
construct a new house at 8210 Newland Ave.**

Abdyl Mehmeti, 3400 W. Montrose Ave., Chicago, IL 60618 stepped forward. Along with Mr. Mehmeti was Beata Kociuba, architect, 100 Higgins Rd., Suite 205, Park Ridge, IL 60068 and Adrian Jigalov, builder, 1000 S. Broadway Ave., Park Ridge, IL 60068.

Chairman Callero stated please raise your right hands. Do you solemnly swear to tell the whole truth and nothing but the truth?

They stated yes.

Ms. Kociuba spoke first.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Ms. Kociuba stated that because of the shape of the lot it would be very difficult to build a house that was deeper than 25 feet and still meet the required 40 feet rear yard set back.

She was speaking about the size of the lot and the size of the house in relation to the setback.

Commissioner Troiani asked if any of the three people at the podium are going to live in the proposed new home.

Mr. Mehmeti stated I will be living there.

Commissioner Troiani stated does that mean you plan to stay there, not just for six months, but actually live there in Niles.

Mr. Mehmeti stated yes, I will be staying there. I have had the property for two years and am now ready to build.

Commissioner Troiani stated I know it's a tough question. But I am unhappy with cutting these lots up. These lots were divided many years ago and people have lived there and all of sudden we have mansions there people can't sell.

Mr. Mehmeti stated his brother is one door away (there is another home in between us) so we will be all together in that area.

Commissioner Troiani asked Mr. Ostman if the 48.5% is under our jurisdiction.

Mr. Wlodarski stated yes, as long as it is under 50%.

Commissioner Troiani stated of course this is a trapezoid lot. One section is tight; the other section has a lot of room.

Mr. Wlodarski stated the normal lot is between 125 feet and 130 feet.

Commissioner Troiani stated didn't we used to take half this dimension and break that up years back and figure that would be the lot size. We broke that 69.87 feet in half and then see how much backyard it would be from there.

Chairman Callero stated what is the difference.

Chairman Callero asked if there were any other questions or comments from the Commissioners.

Commissioner Alpigianis has a question for Mr. Ostman. Chuck, from what I am seeing in the aerial view of the property itself, property is pretty much non-conforming consistently in that immediate neighborhood.

Mr. Wlodarski stated those two particular lots right next to each other are non-conforming as far as size. A normal lot is 125 ft. to 130 ft. deep. Obviously it's bigger on one side and much smaller on the other. It is about 500 sq. ft. less than a normal size lot. But the house that is being

proposed is meeting all the zoning requirements as far as FAR and permeable surface for the lot it is on. It's just that it is an odd lot and that is why they are going for a variation for the rear yard.

Chairman Callero asked if there were any other questions or comments from anybody on the Board; any questions or comments from anyone in the audience.

Daniel Springer, 6940 W. Cleveland, Niles, IL stepped forward. I live next door to this property. I have lived there 23 years. I oppose this variance based on a number of things I'd like to cover. First, I'd like to point out the architect present has stated this lot is unbuildable. So I believe this person bought this lot on the assumption that he could get a zoning variance; this was a fact there was a big angle on this lot when he bought it. I believe the property taxes in our neighborhood are going to be affected based on the fact I went to the County Assessor's website and printed out how our said property values are determined. Basically this trend of massive homes in our neighborhood is causing our immediate property values to go up which affects all our property taxes. If you'd like I can give you the details on this. Some of the highlights show comparable properties in one's neighborhood are a factor in one's assessed valuation. Sales in one's neighborhood are the most reliable source of market value of one's home. Only properties located in the same neighborhood are compared to each other for this purpose. As smaller homes are being sold in this area, the valuation of these homes is determined primarily by the recent overall median sales trends and prices. The trend of these mansions going up in our neighborhood is causing our property tax to go up. That is one basis for my opposition.

Chairman Callero asked Mr. Springer do you think the trend is also increasing the value of your house?

Mr. Springer stated potentially, but that is based on the fact I would only realize this advantage if I were going to sell. I want to live in this neighborhood; I've been here for 23 years and I want to live here for the rest of my life. I believe that is true for most of the people in the neighborhood. We want our property taxes to be stable. The next basis of my objection here is that our neighborhood is losing its character. I and many of my neighbors have put modest upgrades to our homes for the last twenty years. Now this trend of these massive structures that are going up next to our yards is really changing the make-up of our neighborhood which I don't think is attractive to the people of Niles. Some neighboring homes, including mine, have water seepage problems from runoff. This trend of massive homes that take up more space than this neighborhood was normally built for is increasing the probability I could have runoff in my yard and my neighbors will have runoff in their yards and basements and crawlspaces. That is a fact. The airflow through our yards is being cut off. I sit in my neighbors' yards (some of them are here tonight) and I see these massive structures that are larger than

everyone else's house in the neighborhood. They are compromising airflow through the yard. With privacy fences you can't see what is going on. There is no interaction between the neighbors and the air just stops flowing.

Lifelines – I look out my window right now and I can see across the neighborhood. I see my neighbors' homes and trees in the distance. I look out my backyard now and I will see a brick wall from the front of my house all the way beyond from where the current end of my house is. We can look at the drawing these people are proposing and see exactly what I am talking about. Privacy – I like to sit in my yard, do some gardening, landscaping, sit out once in a while. And I'm going to have this massive structure with these windows peering down on my yard.

People don't like that in this neighborhood. Many of these new houses I've seen have architectural lighting beaming down from the eaves of the home down into the backyard. I don't like that personally and I'm pretty sure most of my neighbors don't like that trend as well. I'd like to also encourage those who are not familiar with the other house that's going up a few doors from this particular recommended proposal here, to see it is a massive structure. It is completely out of character for this neighborhood. There are two dumpsters that have been out there for maybe six months now. I'm not even sure what is going on with that property. I'm quite confident it is going to be a very tough sell to have people buying \$700,000 to \$800,000 homes in my neighborhood. I think they are going to be vacant for a while. That is the basis of my opposition to this plan. I'd also like to voice an opinion about trees and landscaping. When my neighbor passed away a few years ago the property was vacant for a while. Then it was purchased by the gentleman here. There was about a 100 year old elm tree in the front yard of this home. It was just cut down one day. I don't know if the Village was aware of this and granted a permit. I believe it was on Village property in the parkway. It was massive and it was healthy and it is gone. I'd just like to point that out. I think my neighbors are also disappointed this tree is gone. I'd like to also point out (on the overhead aerial view) this is my home right here. On this property line right here is a 70 year old silver maple tree. 80% of the trunk is on my property line; 20% is on the property line in question. And I am very concerned this tree will be damaged by the massive foundation that will be built for this structure. It will be dug about 12 or 15 feet deep right along the base of this silver maple. I'm very concerned about this as well. The neighbor that owns this house right here (once again pointing to the aerial view); her name is Jean Dunn. Her family has owned this house for about thirty years. She broke her arm and can't make it tonight but she is available for a phone call and I can bring her up on my cell phone right now to add to this conversation. She opposes this as well.

Chairman Callero stated I don't think that is necessary. You are telling us that she opposes it.

Mr. Springer stated she called him at work and asked if she could be brought into this hearing and I said yes, I would do that via my cell phone.

Chairman Callero stated to Mr. Springer we will come back to you and then asked if anyone else in the audience wanted to speak.

Clara Reilly, 8215 N. Newland, Niles, IL stepped forward. I've lived there for thirty years. I oppose this project for the same reasons the gentleman before me said.

(inaudible)

Allan Reilly stated I live in the same house as Clara Reilly. I can see right now we have open character in the neighborhood. You can look out and see the other houses, trees and yards. You can see trees several blocks down.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Reilly stated I am very concerned that it will become a very gloomy neighborhood.

Chairman Callero stated let me ask a question. You are all neighbors and you are all opposed, correct?

They collectively stated yes.

Chairman Callero asked are any of you opposed for anything different than what we've already heard?

Thomas Glines, 6944 Cleveland, Niles, IL stepped forward. The reason I don't want the house there is because we are in a low section and we get water now. If you put up this house and move it back 20 feet it will be back to my fence line. And I will be getting water in my yard and so will my sister's yard, who lives at 6950 and gets water when it rains an inch or half inch and will get it from the whole neighborhood. Put this house back further and I believe it will cause problems with water seeping into my basement, her yard and my yard also.

Bill Norberg stepped forward and stated I live at 6973 Keeney and I just went through a house being built on this side (aerial view) and they stayed within code. I am disappointed in (inaudible.) I might as well live in the city because they are overbuilding on these lots.

Ed Rolf, 6935 W. Cleveland, Niles, IL stepped forward. (On the aerial view) I live right across the street from Mr. Springer. I have lived in Niles since 1964 so I have quite a history of flooding in that area. Before they put in the Deep Tunnel we used to get a foot to eighteen inches of water before it was released in Wilmette or Winnetka. Now I know they did some sewer work. My question is with all these new roofs going up, especially this one, increased size square footage, where are you draining the water? Supposedly on the ground and eventually into the sewer. Are our storm sewers large enough to take this water?

Commissioner Alpigianis stated I believe that is a question that should be directed to the Engineering department. They are part of Public Works. They are not here at this meeting.

Mr. Rolf stated I oppose this because of the size. We are really going to have problems handling the runoff. Even though it is not supposed to go into the storm sewers, you still have the water going somewhere that is being collected; instead of percolating into the ground, it's going into the sewers. Right now when it really rains hard over there right in front of this place, there is a lot of water collecting. I see it year after year.

Joanne Springer, 8151 N. Washington, Niles, IL stepped forward.
(inaudible)

Speaking about the square footage of the proposed home.

Three thousand square feet is a very large home for this neighborhood.

Chairman Callero asked if anyone else wanted to speak. Let the record show every person in the audience tonight is here to object. Petitioner, you have some things to say now.

Mr. Adrian Jigalov, builder, stepped forward. I'd like to address a couple of the peoples' concerns. On the water issue, we are going to engineer something underground to correct the problem that has been occurring for 20 or 30 years. Any of that water runoff and wrong grading will be corrected because of new construction. It will not get worse. Second, I know about the homes in the area you are talking about. All these big homes that are going up don't need variances because they are on buildable lots. This proposed home is only a 2,600 square foot home and it is hardly a mansion. It is nowhere near the size of those other homes. If you include the two car garage we are right at 3,000 square feet. But again the livable space is 2,600 square feet. Not a big home at all – just a modern new home. Without leaving the existing home that is there and not livable we cannot do anything else with this lot. But we are not looking to put up a mansion, not a 4,000 square foot home. It is a new modern home that is not very large.

Chairman Callero addressed Mr. Ostman. The Village departments made a recommendation to approve this, isn't that correct?

Mr. Ostman stated yes.

Ms. Kociuba, architect, spoke.

(inaudible-this interpretation was paraphrased by the Community Development Department)

We are actually making the permeable area better.

She did say the long, existing driveway to the back detached existing garage will be removed.

Commissioner Kanelos asked what is the square footage of the footprint of the first floor of the proposed house including the garage?

Ms. Kociuba gave the dimensions.

(inaudible)

Chairman Callero stated 1,400 plus and 1,100 plus is approximately 2,600 sq. ft.; adding the garage is where the 3,000 square footage came from.

Commissioner Kanelos stated the existing home and garage by my calculation would be around 1,352 not including the driveway.

Chairman Callero asked if there were any other questions or comments.

Mr. Springer stepped forward for the second time. I believe this lot was purchased by the same group that is building a few doors down. They knew there were certain characteristics about this lot and I would be interested to know if this lot would have been purchased if you knew it was unbuildable. And now you want to ask for zoning variance to build. (He asked Mr. Mehmeti if he knew this lot was unbuildable when he bought it.)

Mr. Mehmeti stated we have had the lot two years now. We did not know it was unbuildable. If we knew, we would not have bought it.

Mr. Springer stated so it was a bad decision on a purchase of property, perhaps financial hardship, that you are not going to be able to do something on the lot to get you what you need. Is that a basis for a zoning variance?

Chairman Callero stated we don't look at basis.

Mr. Springer stated I think that is what is driving this decision here.

Mr. Jigalov stated obviously your neighborhood is important to you. Would you like to keep what is existing there now, is that what your goal is?

Mr. Springer stated I would certainly prefer that over what you are proposing. But I think what would be more appropriate here is some kind of construction which is more typical of what people are doing more tastefully in the neighborhood, which is to take the structure and what you've got to work with. You purchased the lot, knowing what you've got to work with, and do something tasteful with that. Maybe a modest vertical upgrade, something like I did; something like some of the people in this room did. Very nice but modest upgrades to their homes.

Mr. Jigalov stated I'm really surprised to hear you say that because the home hasn't been lived in for two years; and you have a vacant home that looks like that.

Mr. Springer stated you don't have to live next to this.

Mr. Jigalov stated once again we are not proposing a mansion. We just want a modern, small home by today's standards.

Mr. Springer stated a follow-up question. With regard to the maple tree, even if you aren't granted this variance and you have to keep within the current zoning, I'm concerned you are going to do something with the foundation that's going to compromise this maple tree. I'd like to know what your plans are.

Mr. Jigalov stated (pointing on the overhead) if you notice in this corner the home is a couple feet further in. The tree will not be affected, we will not touch it. We do not want to touch or destroy that tree. So if you are saying shade and whatnot, it will still give you the shade.

Mr. Springer asked how deep are you proposing that foundation near that tree?

Mr. Jigalov stated ten feet away from that tree we are digging down (it will be a 9 foot ceiling in the basement).

Mr. Springer stated foundation, footing, digging – you are talking about a 12 foot dig 10 feet from the base of that tree. I'm not an arborist but I believe that is very hazardous to a 70 year old silver maple tree.

Commissioner Kanelos stated a 9 foot basement would be a 10 foot dig at the most, not 12 feet. That's number 1. The footing is probably 10 inches or 12 inches. I am not an arborist but I can tell you I have a silver maple, which are very hardy trees. Some would almost call them indestructible, kind of like weeds almost. For purposes of example, 7 feet from my foundation in a new addition we put on 5 years ago, it has had no impact whatsoever on my silver maple tree. That's just anecdotal though.

Mr. Springer stated it really bothers me that this lot was purchased knowing it's unbuildable and that the variance is being requested out of the norm for

this neighborhood. I am getting the feeling that you are leaning towards granting this variance based on what potentially your Building Department is saying; that the new house will be within code. And I'm very uncomfortable with that because you have some extremely strong support from the community here.

Mr. Jigalov stated I think the big misconception for the last several months is there is a monstrosity going up and everybody came in with blinders thinking we don't want this monster home going up.

Mr. Springer stated this proposed home is as big as the home you are doing 2 doors down.

Mr. Jigalov stated it is not – it is nowhere near 4,000 square feet. You can see the difference between 2,600 and that home. It's almost half the size. It's quite a bit smaller.

Chairman Callero stated it is 33% smaller.

Mr. Springer stated I have to check the numbers on the house he is talking about now. And by the way there is no yard left on the house you put on the corner.

Mr. Jigalov stated it's a double corner lot so all our setbacks from the Village of Niles are to be pushed back. The homeowner did not want to have a home without a yard.

Mr. Springer stated he had a choice. He could have built what was consistent with the neighborhood then he would have had a yard.

Mr. Jigalov stated it is a whole different home. It is not this home that we are addressing. So it sounds like you have issues with other homes in the area.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Jigalov asked would you prefer to look at an old, abandoned house like it has been for the last two years?

Again we are not trying to do anything more than put a modern home there.

Mr. Springer stated I'm getting the feeling this variance is about to be granted and I'm really uncomfortable with that. The local government here should be listening to the community. The message is strong about this particular lot and also about the trend in the neighborhood.

Mr. Jigalov stated again this gentleman is going to be part of the community. We are not building a spec home. It is for him and his family to live in. He's got young kids that are going to grow up and go to the local schools here – he may be here for the next 30 years.

Chairman Callero asked if there were any other questions or comments.

Mr. Reilly asked if he could be shown on the drawing (on the overhead) where the property lines are. Where the next house is going to be on this drawing.

Commissioner Alpigianis stated they would put a new drawing up on the screen for him to view.

Ms. Kociuba showed where the property lines are.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Ms. Kociuba stated here is the side lot line, here is the other side lot line and here is the rear lot line.

Mr. Reilly spoke again.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Reilly asked how hard is it to sell a 2 bedroom home in this neighborhood?

Chairman Callero stated it is very hard to get a 2 bedroom house because of the cost of property today. When you are spending a lot of money on a piece of land, you're not going to build a 1,300 square foot or 1,200 square foot home. When I built my house 39 years ago in Niles, I built a 2,850 square foot house. That was considered a mansion.

Everybody was up in arms. It's the size of a garage people are building today. What do you attribute to that? I paid \$22,000 for my lot. At that time they were selling lots in Niles for \$8,000, \$9,000. I had a very expensive lot. So I built a big house on that lot back then. It's nothing today. The younger people today are building big and it's because of the cost of the property. We go through different trends. That's why you people are looking for more square footage of livable space. You can see what's going on. People are spending \$300,000, \$350,000 tearing the place down. Right next door in our neighboring community they are spending \$750,000 and tearing everything down. It is crazy but that is what is happening.

Commissioner Kanelos stated in answer to your specific question I would say it probably is as close to impossible as you will find to sell a 2 bedroom new home. 3 bedrooms, if it's a ranch, maybe, but then if it's a ranch it would be a bigger ranch. It would probably have the same foot print as this 2 story home. Chairman Callero laid it out exactly; that's the reality with the prices the way they are and the demand there is today.

Mr. Reilly spoke again.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Reilly stated as I said earlier I feel a large house will make the neighborhood gloomy.

Commissioner Alpigianis stated I understand what you are saying. But it's not going to make the neighborhood gloomy because sunlight comes from all around. It's just an exaggeration of words, if I may say that. It's not going to make your neighborhood gloomy by putting up a bigger home. Sunlight comes from everywhere, scientifically speaking.

Mr. Reilly spoke again.

(inaudible-this interpretation was paraphrased by the Community Development Department)

Mr. Reilly stated I just feel it will be out of character with the neighborhood.

Mr. Rolf stepped forward again. I'd like to revisit this thing with this engineering. If you grant this variation today, and they find out about the sewer capacity – you are going to put a large cavity in the backyard to dump

all the water from the roof into this large area then it's going to go out to the sewer. Now the sewers can only take so much water, so much velocity per minute because they've got a certain pitch and that's it, unless you put a pump on it. I'm just afraid when they start doing that we are going to pay with flooding in our neighborhood. If you grant their variation and the Engineering Dept. says, hey, our sewers haven't been upgraded since 1960, they won't be able to take all this water that is coming down. Now what do you do with these people here (petitioners) since they've been granted a variation to put up a house.

Mr. Ostman stated these plans have already been sent over, not the detailed plans. But they have been sent over to the Engineering Dept. to look at that. Their only concern is any water that is generated from this property stays on its property and doesn't affect adjacent properties. What generally does happen, as the gentleman said before, when they go ahead and construct this new home, the Engineering Dept. requires them to put a catch basin in the back. Generally, that catch basin and the way they pitch the surrounding ground around it does relieve a lot of the problems in the surrounding area. It does take in a lot more water than just this property.

Chairman Callero stated it should improve an existing situation.

Mr. Ostman stated the other thing is it will most likely have more pervious ground. It will have more ground to soak up the water because you are getting rid of that side driveway. The square footage in this required rear yard is 553 square feet. You have a 2 car garage back there now, if I'm not mistaken. They are really making the situation better in regard to pervious ground.

Mr. Rolf stated then there will be more land that is impermeable.

Mr. Ostman stated yes and there will be more land that is open in the back of their yard because they are taking that garage down and putting it out in front, making a driveway right off the street into the attached garage.

Mr. Rolf was told it will be a short driveway right into the street. So what if the Engineering Dept. finds out there is something wrong with this?

Mr. Ostman stated if there is something wrong with it or they can't meet the requirements of the Engineering Dept. the permit is not issued. Plain and simple.

Mr. Rolf stated he did not know that. I thought once they got the approval they were ready to go.

Mr. Ostman stated this is just for the variation. They have to meet all the other requirements. This doesn't give them carte blanche that they can build for sure 100%. They have to meet requirements just like any other builder.

Chairman Callero stated before we even look at it we send it out to the various departments and the heads of the various departments and they send a packet back to us that they fill out with their comments. We are not just a bunch of dummies sitting up here. I hope you understand that.

Mr. Rolf stated we are judging you as we go along.

Chairman Callero stated there are 3 cases tonight and this is the paperwork we have on it. (He held up a thick stack of papers.) We've all gone through it

ahead of time. We've asked questions. We met this afternoon and we asked questions.

Mr. Rolf stated that is my only concern because of my experience of 40 years when you overload those storm sewers and it comes right back into the homes.

Chairman Callero asked if there were any other questions or comments. There were none. I will entertain a motion.

Commissioner Weel moved that 08-ZP-05 – Abdyl Mehmeti, 3400 W. Montrose Ave., Chicago, IL 60618 – Requesting a variation to Niles Zoning Ordinance section VII (C)(10) to the rear yard setback from the required 40' to 20.5' (48.5%) to construct a new house at 8210 Newland Ave. be **approved**.

Seconded by Commissioner Kanelos, on roll call the vote was:

AYES:	4	Surace, Kanelos, Weel, Alpogianis
NAYS:	1	Troiani
ABSENT:	1	Dimond

There being four (4) affirmative votes the motion carried.

Chairman Callero stated at this particular time I will entertain a motion to adjourn at 8:33 p.m.

Commissioner Alpogianis moved to adjourn the meeting.

Commissioner Kanelos seconded the motion to adjourn. On roll call the vote was:

AYES:	5	Alpogianis, Weel, Kanelos, Surace, Troiani
NAYS:	0	
ABSENT:	1	Dimond

There being five (5) affirmative votes the motion carried.

The meeting adjourned at 8:33 p.m.

James Callero, Chairman

Angelo Troiani, Secretary

Also in attendance at the meeting:

David Chambers
8230 New England
Niles, IL 60714

Margaret Fortney
6950 W. Cleveland
Niles, IL 60714

Milgros Cintron
8209 Newland
Niles, IL 60714

NILES PLAN COMMISSION AND
ZONING BOARD OF APPEALS

March 3, 2008

Brad Springer
6940 W. Cleveland
Niles, IL 60714