

**MINUTES OF THE MEETING OF THE PLAN COMMISSION
AND ZONING BOARD OF APPEALS
VILLAGE OF NILES
COOK COUNTY, ILLINOIS**

November 3, 2008

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

Chairman Callero asked everyone to stand for the Pledge of Allegiance.

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

Also present were Charles Ostman, Director of Community Development and Richard Wlodarski, Assistance Director of Community Development.

Commissioner George Alpogianis and Village Attorney Joseph Annunzio were absent.

Chairman Callero asked if there are any additions or corrections to the October 6, 2008 meeting minutes. If not, can I please have a motion for approval?

Commissioner Weel moved to approve the Minutes of October 6, 2008 as presented.

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

AYES:	4	Surace, Troiani, Weel, Kanelos
NAYS:	0	
ABSENT:	1	Alpogianis
PASS:	1	Dimond

There being four (4) 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 Mr. Richard Wlodarski, Assistant Director of Community Development, 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.

Old Business

Referred back by Village Board

08-ZP-14 – Mrs. Orna Charak, Owner, 7157 W. Greenleaf St., Niles, IL 60714 – Requesting a variation to Section IV (H)(2) to increase the size of a shed from the maximum permitted 65 square feet to 150 square feet and to increase the maximum permitted height from 7’ to 9’6” at 7157 W. Greenleaf St.

New Business

08-ZP-18 – Mr. Stanley Harn, Owner, 8008 Oakton St., Niles, IL 60714 Requesting a variation to Section IV (H)(4) to increase the size of a detached garage from the permitted 700 square feet up to 3,000 square feet and to increase the height from the permitted 15’ up to 21’4” at 8008 Oakton St.

08-ZP-19 – Mr. Jozef Glowa, Owner, 8431 W. Maynard Road, Niles, IL 60714 – Requesting a variation to Section IV (H)(4) to maintain an existing shed illegally enlarged in area from 304 sq. ft. shed to 380 sq. ft.; to increase the maximum permitted height from 10’ to 12’6” and to increase the maximum permitted area for total accessory structures from 700 sq. ft. to 864 sq. ft. at 8431 W. Maynard Road.

08-ZP-20 – Arlyn P. Kaas, Owner, 8114 N. Ottawa Ave., Niles, IL 60714 Requesting a variation to Section VII (C)(10) to reduce the rear yard setback from the required 40’ to 37’3” to continue construction of a sun room.

Requesting a variation to Section IV (H)(2) to reduce the minimum side yard set back from 3’ to 2’3” and to reduce the minimum rear yard set back from 5’ to 1’9” to reconstruct a detached garage at 8114 N. Ottawa Ave.

Chairman Callero called for the first matter on the agenda.

08-ZP-14 – Mrs. Orna Charak, Owner, 7157 W. Greenleaf St., Niles, IL 60714 – Requesting a variation to Section IV (H)(2) to increase the

size of a shed from the maximum permitted 65 square feet to 150 square feet and to increase the maximum permitted height from 7' to 9'6" at 7157 W. Greenleaf St.

Chairman Callero asked the petitioner or a representative to step forward.

Mr. Sol Charak and Mrs. Orna Charak, 7157 W. Greenleaf St., Niles, IL stepped forward.

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

They both stated yes.

Chairman Callero stated we heard this case once before. Is there any additional testimony that you want to add that we don't have?

Mr. Charak stated I'd just like to explain to you why we're here because I don't think we gave it all correctly last time. We need more storage space because we're a family of five. We do not have an attic or usable crawlspace. Years ago we put up shelves in the foundation of the home which was unfinished. The finished basement is approximately 1/3 of the square footage of the bottom part. We've had storage boxes all over the house because of the large family of five. Right now we can't crawl in and out of it (the crawlspace) because of declining health. My wife is under doctor's care for rheumatoid arthritis and I've survived pancreatic cancer. The mobility getting around becomes a little bit more difficult with age. And we're just trying to understand why we cannot get this space to make our life a lot easier. Our lot is larger than most of the other lots on the street. Our lot is 35' wide by 121' deep with two tax numbers and two tax bills. Most of the lots on the street are approximately 1/3 of the size and we pay about \$1,000 a year more in taxes every six months. The shed will not be out of place, as our next door neighbor with whom we share the duplex has an adjoining two and one half car garage – 9-1/2 feet tall and the house that we back up to also has a two and one half car garage – 9-1/2 feet tall. We are asking for the space to put things in there without having to crawl all over which is difficult at our age. I don't have the mobility I had when I was younger and prior to the cancer surgery. I brought some pictures with if you'd like to see what we have and what we'd like to have.

Commissioner Troiani stated we have them from the last meeting.

Mr. Charak stated these pictures were not presented at the last meeting.

Chairman Callero stated you know you can have a garage.

Mr. Charak stated we once inquired about a garage to have with the other neighbor and we were told the space, the driveway, isn't big enough.

Mrs. Charak stated between the two houses, we don't have enough space to put two cars next to each other.

Chairman Callero stated can't they have a garage, Mr. Ostman?
The problem is because you are asking for a shed. As far as I know, if you were asking for a garage, you could have it.

Commissioner Troiani stated if you're asking for a garage you don't have to come before us, you have to come before them (pointing to Mr. Ostman and Mr. Wlodarski.)

Mrs. Charak is speaking but cannot be heard – inaudible.

Charles Ostman, Director of Community Development, stated according to the survey here there's an obstruction toward the rear of the house. I'm not sure what that is. It extends out 3.2 feet. I don't know if it's practical to get a car past it. I don't know what that obstruction is. Otherwise they'd be able to put in a drive along side their house and into an accessory structure in the back – a garage.

(There is very soft talking going on in the background. The secretary is unable to determine what is being said.)

Chairman Callero asked what is the obstruction.

Mr. Ostman stated it is a stoop for a door.

Chairman Callero stated so you can't get a driveway passed it.

Mr. Ostman stated right, there wouldn't be enough room.

Commissioner Weel stated last month when we heard this case and your wife was here, we indicated we were willing to make some form of compromise given the size of the lot. I know you have a unique lot but in relative square foot size it's like 3,700 sq. ft. The normal residential lot is about 6,500 sq. ft and the code allows for a shed of about 150 sq. ft. sitting on a lot that size. This is about 2.4% of the lot. At the 102 sq. ft. that we approved last month, you're at 2.7, 2.71% of your lot. In my eyes we are giving you some form of concession based upon your lot size. Although it is an unusual lot it's 3,750

sq. ft. Mr Charak stated our lot is 4,235 sq. ft. 35 x 121 measures out at 4,235.

Commissioner Weel stated I stand corrected. The lot size is, let's call it 4,200 sq. ft. The shed size, at 102 sq. ft., would be 2.4% of the lot, which is equivalent to a standard 150 sq. ft. shed on a normal residential lot. What we're talking about in numbers here and sizes here, this Committee last month did approve a compromise in the size of the shed. I understand the need for the shed and we did allow it. We really didn't have a big issue on the height but I think your wife indicated that the height is really not as important as the size of the shed because you don't have to do any climbing and stuff to get up there.

Chairman Callero stated the last time the motion was made with 8'.

Commissioner Weel stated right. But there was not a big concern on the roof height so I don't know that, although we've heard your testimony tonight there may be some basis for the request, I think the compromise by this Committee to allow it from what we would normally have – a 65 sq. ft. shed to 105 sq. ft. shed is a reasonable compromise.

Mr. Charak stated prior the old shed was 12' by 8-1/2' which is 102 sq. ft.

Commissioner Weel stated and we are allowing the same size.

Mr. Charak stated that's not an allowance, that's the same thing that we've got.

Commissioner Weel stated I understand that but again it's based upon the square footage of the lot.

Mr. Charak stated that's not a compromise, it's a stalemate.

Mrs. Charak stated what if we build it to look like a garage. What difference is it. I just need space. We don't have any storage space in the house. The plumbers were working on the pipes (in the crawlspace) and we just put some shelves on the wall there. 25 years ago I could do it. I cannot do it anymore. I cannot go through window and crawl through this place with boxes. It's just impossible. There is no attic in our house. We have to put everything in the rooms. We have cathedral ceilings that take all the storage up. Hardly one closet in one bedroom, there is no heat in there. (Inaudible) So if you want to call it a garage I don't care what we call it. I can build it to look like a garage.

Chairman Callero asked is there any way around that stoop?

Mrs. Charak stated if they want to come and check I'll be more than happy to build a garage.

Chairman Callero stated you can still build a garage; you just can't put a car in it.

Mr. Ostman stated I don't think there's any way. The door height is going to be so much above the ground; you're going to have to get a stoop to get in the house. And there are regulations on the size of stoop that you need to get in the house.

Commissioner Kanelos asked can they just put a step.

Mr. Wlodarski stated by code you need a 3 x 3 landing. He asked is your stoop flush with the inside of your house or do you step from your house down to the stoop then down to the drive.

Mr. Charak stated step down.

Mr. Wlodarski stated so it's actually two steps up.

Chairman Callero stated are there any other questions or comments.

Commissioner Weel stated it all comes down to a situation where, if they were to come in front of us and put up a 200 sq. ft. garage, they wouldn't even need a variance and they wouldn't need this Board's approval.

I think the fact they have a stoop which just came to this Committee's knowledge this evening kind of puts a hindrance on building a garage back there. We're really looking at something that could be back there at 200 sq. ft. versus the petitioner's request of 150 sq. ft. or some number in between, 102 sq. ft. and 150 sq. ft. I think that's what we really need to look at here. I would be willing to take a second look at the size of the shed and give it consideration at the 150 sq. ft. size just because of the fact if they did not have a stoop and they were able to access the garage, they could put a garage back there of 200 sq. ft. I guess in looking back I would have no problem with a shed of 150 sq. ft. given the testimony we've heard this evening.

Commissioner Dimond stated I want to verify, you are taking down the old shed, correct?

Mr. & Mrs. Charak stated yes.

Commissioner Weel stated I just want to make sure the new structure will be put in the opposite corner of where the current structure is.

Mrs. Charak stated yes and pointed to the overhead picture of where the new structure will be. It will look nicer because of open space.

Chairman Callero asked are there any other questions or comments from anyone on the Board? There were none. Any questions or comments from anyone in the audience. Let the record show there were no objectors in the audience. With that I will entertain a motion.

Commissioner Weel moved that 08-ZP-14 which was referred back to this Board by the Village Board – Mrs. Orna Charak, Owner, 7157 W. Greenleaf St., Niles, IL 60714 – Requesting a variation to Section IV (H)(2) to increase the size of a shed from the maximum permitted 65 square feet to 150 square feet and to increase the maximum permitted height from 7’ to 8’ at 7157 W. Greenleaf St. be **approved**.

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

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

There being four (4) 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 this will be heard by the Board of Trustees, leave your name and address with our secretary and she will notify you. Thank you very much.

Chairman Callero called for the next matter on the agenda tonight.

08-ZP-18 – Mr. Stanley Harn, Owner, 8008 Oakton St., Niles, IL 60714 Requesting a variation to Section IV (H)(4) to increase the size of a detached garage from the permitted 700 square feet up to 3,000 square feet and to increase the height from the permitted 15’ up to 21’4” at 8008 Oakton St.

Chairman Callero stated again this was before us at our June 2, 2008 meeting. It passed 4 – 2. Now it's back again because the Trustees sent it back to us not understanding what they were voting on.

Mr. Stanley Harn and Mr. Robert Nicholas from Morton Buildings stepped forward.

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.

Chairman Callero stated do you have anything else to add, any new testimony from what we already know.

Mr. Harn stated it is basically the same thing.

Chairman Callero stated everything's the same. Does anybody here have any other questions?

Commissioner Troiani stated why are they back here if they are asking for the same thing. I made a motion to deny it. Are we still going to go through that process or start the process after approval of 4 – 2.

Chairman Callero stated no. We're going to take it back in. There is no additional testimony. It can't stay as presented. First of all Mr. Alpigianis is out of town. So the vote is going to change tonight automatically. The Trustees threw it back in our lap. You don't like it, go complain to the Trustees.

Commissioner Troiani stated I probably will.

Chairman Callero stated I'm sure you will.

Mr. Robert Nicholas stated I'd be happy to answer your questions if it would help to clarify things.

Commissioner Troiani stated the question is you've got a junkyard back there. And you're putting up a warehouse in a residential area.

Chairman Callero stated that's your opinion. You're the only one that has that opinion on the Board. So we heard it enough. I don't have to hear it anymore.

Commissioner Weel stated you didn't give him a chance to answer the question.

Chairman Callero stated he said he could add something to it. He'd give you the answer but you wouldn't listen to him. Yeah – we'd love to hear the answer (as to why you are back here.)

Mr. Nicholas stated the reason why we are back here is we went in front of the Trustee Board and there's some confusion that we still wanted the 3,000 sq. ft. but in some other conversations 2,200 sq. ft. came up. Some of the Village Trustees had no idea what the situation was out there, pretty much nixed the 3,000 without even checking out what was going on, went straight to the 2,200 and approved that. We weren't satisfied with that because 2,200 wouldn't be enough to get all his equipment inside and he doesn't want his equipment, as you called it a junkyard, sitting outside for the neighbors to see. He wants to get it all inside so we're back to the 3,000 sq. ft. so we can go back in front of the Village Trustees again.

Commissioner Troiani stated so where did this 2,200 sq. ft. come from.

Chairman Callero stated forget about it. It's because the Trustees got all confused.

Mr. Nicholas stated we just want to get everything inside to keep it clean looking is what we want to do.

Chairman Callero stated so again, there's no additional questions from this Board? There were none. Are there any questions from anyone in the audience? Let the record show there's no objectors. I'll entertain a motion. I do know one thing that the motion will have to contain tonight about demolishing the existing structure. Tom, do you want to put it in?

Commissioner Kanelos stated yes, I move that 08-ZP-18 – Mr. Stanley Harn, Owner, 8008 Oakton St., Niles, IL 60714 – Requesting a variation to Section IV (H)(4) to increase the size of a detached garage from the permitted 700 square feet up to 3,000 square feet and to increase the height from the permitted 15' up to 21'4" at 8008 Oakton St. be **approved** with the stipulation that upon completion of the new structure, the old structure will be demolished and hauled away.

Mr. Ostman stated, Mr. Chairman, do you still want the condition in that there be masonry wainscot around the building exactly the way it was the last time?

Chairman Callero stated yes. So you've got to add that language in that we added last time. Plus now you've got to add the language that upon completion they have to clean up and remove the old.

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

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

There being four (4) 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 this will be heard by the Board of Trustees, leave your name and address with our secretary and she will notify you. Thank you very much.

Chairman Callero called for the next matter on the agenda tonight.

08-ZP-19 – Mr. Jozef Glowa, Owner, 8431 W. Maynard Road, Niles, IL 60714 – Requesting a variation to Section IV (H)(4) to maintain an existing shed illegally enlarged in area from 304 sq. ft. shed to 380 sq. ft.; to increase the maximum permitted height from 10' to 12'6" and to increase the maximum permitted area for total accessory structures from 700 sq. ft. to 864 sq. ft. at 8431 W. Maynard Road.

Marcin Glowa, Jozef Glowa and Narzema Kopyza, 8431 W. Maynard Road, Niles, IL 60714 stepped forward.

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.

My name is Marcin Glowa. I am here to speak on behalf of my dad who is standing with me. The other person is my sister and her husband is in the audience. We have been living there since May, 2007 and when we moved into this house (a brand new house was put up on this lot) but the old tool shed has remained the same. (Pictures shown on overhead.) What prompted my father to remodel the old tool shed was kind of made by the Niles city

inspector. When he came out there and saw our new residence and asked what is this old shed still doing there – it was just hideous. So after a while my dad tried doing something to it to make it look better. It was just a whole bunch of old shingles, probably five different colors on there, so after a while my dad just tried putting up new siding on it at least. After he took the old siding off, there were 2 x 4's and other structural stuff that was rotten. The previous owner kept a whole bunch of pigeons in there. It was just a mess; you don't want to see what was inside that tool shed – dead pigeons, dead rats. It was just horrible inside there. So one Saturday he decided we've got to tear this whole thing apart, put new 2 x 4's and that stuff and put the whole new thing up. The old tool shed was 288 sq. ft. and the new tool shed increased by 152 sq. ft. We know by having this new house in this neighborhood the property values of the entire neighborhood appreciated. It's a brand new house, about 600 sq. ft.; it's just a beautiful house. It makes the neighborhood look more pleasant and a lot safer to live in. It (the shed) was also a fire hazard.

Chairman Callero stated you said 600, you mean 6,000 sq. ft, right?

Mr. Glowa stated yes, I meant 6,000. Sorry about that. Plus the old tool shed was pretty much a fire hazard for the neighboring nursing home that is right next door. There was a bunch of hay lying around there and it was just pretty much a mess. My parents chose Niles as a place to live for us and my family and decided to build a new house on that property. Remodeling the old tool shed has greatly improved the site and eliminated a fire hazard structure. I hope that I clearly stated my reasons and purpose to have the old tool shed remodeled and your kind understanding and cooperation for a variance request and approval will give us a lasting impact on the neighborhood we live in. Thank you very much.

Chairman Callero stated basically what happened is they didn't come and get a permit and they just built it not understanding the requirements.

Mr. Glowa stated I assumed putting new siding on the tool shed wasn't something you needed a permit for.

Commissioner Troiani stated you didn't put siding on an existing building, you built a new building.

Mr. Glowa stated when they tore off the old shingles that were on there, it was horrible. The 2 x 4s were all rotten. It was just a mess. Unfortunately they had to put up new 2 x 4s and all that stuff.

Commissioner Troiani stated but you knew you needed a permit.

Mr. Glowa stated there was a whole bunch of garbage in there. We just wanted to fix it up.

Chairman Callero stated I think we understand all that. I guess your father didn't understand the right way to do it as far as going to the Village, finding out what you could do and what you can't do; getting a permit.

Mr. Glowa stated it's not that. To build a new house he paid over \$11,000 for permits and all that. It's not that he's worried about money.

Chairman Callero stated I'm not saying he's worried about money. I'm saying he didn't understand. If he built a 6,000 sq. ft house I'm sure he's not worried about money. My understanding is, whatever we approve or don't approve, he's willing to pay the permit fee and the fine. Any questions or comments from anyone on the Board?

Commissioner Weel stated in looking at this request, it is kind of a unique request because of the size of this lot. It is an extremely large lot, about 29,000 sq. ft. lot. We're putting a 380 sq. ft. shed in the rear end of the lot which backs up to some existing power lines which I don't think encumbers the property to an excessive number. So I think regarding this particular case we need to keep in mind this is an extremely large lot and the small increase from its existing structure to what they're currently asking for I think is minimal.

Chairman Callero asked are there any other questions or comments from anyone on the Board? There were none. Any questions or comments from anyone in the audience? Let the record show there are no dissenters in the audience.

Commissioner Troiani stated I would just like to get one clarification. Could I call this a future pool house and a shed? Then I can get two purposes out of this building. That's way above the size of the shed. I'm just trying to figure out a way to legalize it. It's not legal as of now until we give permission to make it legal, right?

Chairman Callero stated that's why they are here.

Commissioner Troiani stated why can't we just say that this may be a future pool house for pool equipment; that they are going to use this as a pool house and a shed; a combination instead of having two structures in the backyard, they'll have one structure of this size. It's mincing words but it's a chance to get it in my mind.

Chairman Callero stated why – do we have a code section that covers a pool house?

Commissioner Troiani stated it would have to come before zoning again. The difference is (inaudible).

Chairman Callero stated come on, be serious.

Commissioner Weel stated I think it's prudent this Board act on the petitioner's request at hand. Call it what it is and let's just take the matter to vote and see what happens.

Chairman Callero stated exactly. I'll entertain a motion on 08-ZP-19.

Commissioner Weel moved that 08-ZP-19 – Mr. Jozef Glowa, Owner, 8431 W. Maynard Road, Niles, IL 60714 – Requesting a variation to Section IV (H)(4) to maintain an existing shed illegally enlarged in area from 304 sq. ft. shed to 380 sq. ft.; to increase the maximum permitted height from 10' to 12'6" and to increase the maximum permitted area for total accessory structures from 700 sq. ft. to 864 sq. ft. at 8431 W. Maynard Road be **approved**. This is subject, obviously, to paying the permit fee and the fine.

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

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

There being four (4) 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 this will be heard by the Board of Trustees, leave your name and address with our secretary and she will notify you. Thank you very much.

Chairman Callero called for the next matter on the agenda tonight.

08-ZP-20 – Arlyn P. Kaas, Owner, 8114 N. Ottawa Ave., Niles, IL 60714 Requesting a variation to Section VII (C)(10) to reduce the rear yard

setback from the required 40' to 37'3" to continue construction of a sun room.

Requesting a variation to Section IV (H)(2) to reduce the minimum side yard set back from 3' to 2'3" and to reduce the minimum rear yard set back from 5' to 1'9" to reconstruct a detached garage at 8114 N. Ottawa Ave.

Arlyn P. Kaas, 8114 N. Ottawa Ave., Niles, IL 60714 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. Kaas stated yes. I've been working with the building department since early summer regarding the garage. They were aware of permits for a fence and a new deck. I started construction of the deck; decided to add a sunroom. I didn't even give a second thought to a permit for the sunroom since it's a three season type structure. The Village decided to pay a visit to see how far along I had gotten with the project; discovered the sunroom and here I am.

Chairman Callero stated again in your case, if you're going to continue on with this project, you have no problem paying the necessary permit fee and the required fine.

Mr. Kaas stated none at all.

Chairman Callero asked are there any questions or comments from anyone on the Board?

Commissioner Troiani stated the sunroom you are attempting to build, what kind of a room is it going to be? Is it a glass roof or shingled roof?

Mr. Kaas stated it is a kit. It has an aluminum roof, metal screens, sliding type windows to close it up for the winter; no electric, no heat, no nothing. Just a room to keep the bugs out.

Commissioner Troiani asked did you build this above the floor of your deck.

Mr. Kaas stated on the floor.

Commissioner Troiani asked with joists and sleepers?

Mr. Kaas stated yes.

Commissioner Troiani stated in other words you sealed the deck from coming through into the sunroom.

Mr. Kaas stated right.

Chairman Callero asked any other questions or comments from anyone on the Board?

Commissioner Weel stated just a point of clarification. The garage you are looking to replace - the existing garage on the existing footprint – which is currently at 1.9 feet anyway, so we're not asking for any change of location of the garage. It's going to be torn down and put exactly up on its current footprint, its current location. No further questions, Mr. Chairman.

Mr. Kaas state right.

Chairman Callero asked any other questions or comments from anyone in the audience? Let the records show there's no comments, no people against this particular case tonight in the audience. This is a two part motion. We're the final authority on the sunroom; we are a recommending Board on the garage. I'll entertain a motion.

Commissioner Weel moved that 08-ZP-20 – Arlyn P. Kaas, Owner, 8114 N. Ottawa Ave., Niles, IL 60714 – Requesting a variation to Section VII (C)(10) to reduce the rear yard setback from the required 40' to 37'3" to continue construction of a sun room. In addition requesting a variation to Section IV (H)(2) to reduce the minimum side yard set back from 3' to 2'3" and to reduce the minimum rear yard set back from 5' to 1'9" to reconstruct a detached garage at 8114 N. Ottawa Ave. be **approved**.

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

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

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

Chairman Callero stated on the first part of the motion concerning the sunroom, we've approved it. It stays here, that's the end of that. As far as the second part, the variation on the set back and the side yard, 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 this will be heard by the Board of Trustees, leave your name and address with our secretary and she will notify you. Thank you very much.

Chairman Callero stated at this particular time I'll entertain a motion to adjourn.

Commissioner Troiani moved to adjourn the meeting.

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

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

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

The meeting adjourned at 8:11P.M.

Kathleen Janessa, Recording Secretary