

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

**December 1, 2008**

The Niles Plan Commission and Zoning Board of Appeals was called to order at 6:00 P.M.

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

Present along with Chairman James Callero were Commissioners Thomas Surace, Angelo Troiani, Alan Weel, George Alpogianis and Thomas Kanelos.

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

Commissioner Karen Dimond arrived at 6:07 P.M. Village Attorney Joseph Annunzio was absent.

Chairman Callero asked if there are any additions or corrections to the November 3, 2008 meeting minutes. There were none. If not, can I please have a motion for approval?

Commissioner Weel moved to approve the Minutes of November 3, 2008 as presented.

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

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

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

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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.

**New Business**

**08-ZP-21 Mr. Josh Delpierre, Paradise Rooms  
310 Era Drive  
Northbrook, Illinois 60062**

**Requesting a variation to Section VII (C) (10) to reduce the rear yard setback from the required 40' to 24'6" to construct a 3 season sunroom at 9757 N. Huber Oval.**

**08-ZP-22 Mr. Julian Makas, owner  
8312 N. Oketo Ave.  
Niles, Illinois 60714**

**Requesting a variation to Section VII (C) (9) (a) to reduce the side yard setback for a structure with a detached garage from the required minimum side yard set back of 10 feet down to 6 feet to construct a new home with a drive thru carport at 8312 N. Oketo Ave.**

Chairman Callero called for the first matter on the agenda.

**08-ZP-21 - Mr. Josh Delpierre, Paradise Rooms, 310 Era Drive  
Northbrook, Illinois 60062. Requesting a variation to Section VII (C)  
(10) to reduce the rear yard setback from the required 40' to 24'6" to  
construct a 3 season sunroom at 9757 N. Huber Oval.**

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

Mr. Josh Delpierre, Paradise Rooms, 310 Era Drive, Northbrook, IL 60062, along with Ms. Jushbeen Shukla, Mrs. Manu Chatur, Mr.

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Masrulla Chatur, the owners of the property at 9757 N. Huber Oval 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 all stated I do.

Mr. Delpierre stated we are trying to be granted permission to build a 10' x 18' three season sunroom in the rear of the house. From the rear of the house the property line is 33' 4". There is a 40' rear yard setback which makes this house a legal nonconforming structure. I am asking for a variation of the rear yard setback from 40' to 24' 6", a decrease of 15' 6" or 38.75%. The back yard is fenced in and has bushes and trees at the property line which would make it difficult for the rear yard neighbors to even see the sunroom. The rear yard neighbors also have detached garages very close to the property line so the sunroom would only be encroaching on the garages. Houses of this style and value in the community have the luxury of having space in their backyard for such additions. If we were not granted permission for this variance we would not get the same reasonable use of the backyard as others in the community.

Chairman Callero stated thank you, anything else you want to add? Are the other people here to add anything?

Ms. Shukla stated we are just hoping to get this permission, like Josh said, the backyard basically is of no use in winter and fall. If we had this three season sunroom then we could use it to entertain guests and stuff, just as a personal use.

Chairman Callero stated are the other two people part of the petition.

Ms. Shukla stated I speak on behalf of them.

Chairman Callero stated thank you. Let the record show that Karen Dimond is now here at 6:07 p.m. There is nothing left in your presentation? Any questions or comments from anyone in the audience?

There were no objectors in the audience. Any questions or comments from any of the Commissioners?

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Commissioner Weel stated this is a true three season room, correct?

Mr. Delpierre stated correct.

Commissioner Weel stated back in June of this year the same petitioners were in front of us for a two story addition. Is this kind of a compromise to that? And what is the future of the sunroom or the three season room? Are there any in the near or distant future plans to make that a four season room and to go on top of that and add a second story to it?

Mr. Delpierre stated this is an inhabitable space. It's not upgradeable to a four season room.

Commissioner Weel stated okay, then the hardwired electrical is just baseboard electrical to take the chill out in the fall or whatever?

Mr. Delpierre stated correct.

Commissioner Weel stated so there is nothing in the distant future or near distant future that they would come back to us and ask for a second story to be added on top of that or to make this a habitable four season room.

Mr. Delpierre stated it is 80% glass. It would never be a four season room.

Commissioner Weel stated thank you, no further questions.

Chairman Callero stated are there any other questions or comments from anyone on the Board.

Commissioner Alpigianis stated that according to Charles Ostman in Community Development the proposed sunroom addition will be met at all FAR impermeable surface requirements.

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

Commissioner Weel moved that 08-ZP-21 - Mr. Josh Delpierre, Paradise Rooms, 310 Era Drive, Northbrook, Illinois 60062 requesting a variation

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to Section VII (C) (10) to reduce the rear yard setback from the required 40' to 24' 6" to construct a 3 season sunroom at 9757 N. Huber Oval be **approved** with the condition if there is ever a situation where a second story will be erected or this three season room becomes a four season room, the petitioners will come back before this Board.

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

AYES:       6       Dimond, Surace, Troiani, Weel, Alpogianis, Kanelos  
NAYS:       0

There being six (6) affirmative votes the motion carried.

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

**08-ZP-22 - Mr. Julian Makas, owner - 8312 N. Oketo Ave., Niles, Illinois 60714. Requesting a variation to Section VII (C) (9) (a) to reduce the side yard setback for a structure with a detached garage from the required minimum side yard set back of 10 feet down to 6 feet to construct a new home with a drive thru carport at 8312 N. Oketo Ave.**

Mr. Julian Makas, 5317 N. McVicker, Chicago, Illinois 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. Makas stated I do. I am the owner of 8312 N. Oketo requesting the variance of being able to use the attached card building rules of 6' side yard setbacks for my detached garage building plan with a carport.

Chairman Callero stated do you have anything to tell us in your presentation or tell us about what you are attempting to do other than what we have in our packets and other than what you've said already.

Mr. Makas stated basically I think everything is represented in the packet. It's just a design we really liked. We want to bring it here to Niles. We bought my wife's mom's property. Deanna grew up at that property. We want to build our home there. We're trying to see if we can get our design to work with the Niles ordinances.

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Chairman Callero stated any questions or comments from anyone in the audience. Let the record indicate there were no objectors here tonight. Are there any questions or comments from any of the Commissioners?

Commissioner Troiani stated you realize that you are overbuilding this house on this lot.

Mr. Makas stated how so.

Commissioner Troiani stated the house is pretty big for the lot. You are putting a two story monster on that little lot. You realize that? In other words, you're not going to have too much land around that house.

Chairman Callero stated I think he understands that fact. That's why they're here, because they need a variance. So they wouldn't need a variance if they weren't.

Commissioner Troiani stated I'm asking the gentleman a question.

Mr. Makas stated the house isn't as wide; it's pretty narrow and sort of deep. It meets all the FAR and land coverage requirements. By the zoning rules we meet the land coverage. We're looking for something to fit us into that (inaudible) sq. ft. range.

Commissioner Troiani stated you and your wife are going to live there to raise your family.

Mr. Makas stated correct, that's why we're going for the four bedroom home.

Commissioner Alpigianis stated our Engineering Dept. has commented on this home. I want you to be aware they want you to provide a 5' swale along the north and south property lines. They also want to see an engineering or site plan. It is required by the Village. Just to make you aware of that.

Mr. Makas stated correct. Also, what is the definition of a 5' swale?

Commissioner Alpigianis stated a swale is a bit of a berm for retention of water, actually to channel the water.

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Mr. Makas stated that's fine. The setbacks are totally going to be leftover for landscaping and any type of drainage requirements.

Chairman Callero stated again, Mr. Alpogianis, they will be made aware of all those items if we approve this and they go back to our department heads; and our department heads will certainly go through that with them. Any other questions or comments from anyone on the Board?

Commissioner Weel has just a point of clarification. The size of the house is well within the FAR parameters that are set by the zoning ordinance. I think he's about 9% below the FAR which is 52-1/2%. He's at 43.85%. And his lot coverage is below the maximum 65%. I think what we've got here is a property that will certainly beautify the area. Again, it's not one of the monster houses that we've seen before this Board. I think it fits very nicely into the lot. It will be an enhancement to the neighborhood. I kind of like it.

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

Commissioner Alpogianis stated just one more thing regarding the conceptual landscape design. I would like to make sure you guys work very closely with Community Development because it's just a bit obscure. There's nothing really put in stone here. We need to make sure the proper things are planted and anything that is there of larger scale, we need to keep in tact if possible, okay?

Mr. Makas stated yes.

Chairman Callero stated any other questions or comments from anyone on the Board? If not, I will entertain a motion. There were none.

Commissioner Kanelos moved that 08-ZP-22 - Mr. Julian Makas, owner, 8312 N. Oketo Ave., Niles, Illinois 60714. Requesting a variation to Section VII (C) (9) (a) to reduce the side yard setback for a structure with a detached garage from the required minimum side yard set back of 10 feet down to 6 feet to construct a new home with a drive thru carport at 8312 N. Oketo Ave. be **approved**.

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

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

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

Chairman Callero stated at this time if there is nothing else to be brought in front of us, I'll entertain a motion to adjourn.

Commissioner Alpogianis moved to adjourn the meeting.

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

AYES:       6       Dimond, Surace, Troiani, Weel, Alpogianis, Kanelos  
NAYS:       0

There being six (6) affirmative votes the motion carried.

The meeting adjourned at 6:17 P.M.

Kathleen Janessa, Recording Secretary