



COMMUNITY DEVELOPMENT

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**BUILDING AND ZONING COMMITTEE MEETING
MINUTES
VILLAGE HALL – SECOND FLOOR CONFERENCE ROOM #218
June 22nd, 2023**

Chairman

Craig Niedermaier – Trustee

Members

Kathy Thake – Deputy Village Manager

Charles Ostman – Community Development Director

Rich Wlodarski – Community Development Assistant Director

Tom Kanelos – Chairman Planning and Zoning

Danielle Grcic – Village Attorney

Rich Mangold – Resident

I. Call To Order/Roll Call

The Niles Building and Zoning Committee meeting was called to order at 8:20 AM.

Present: 6 – Chairperson Niedermaier, Thake, Ostman, Wlodarski, Mangold, and Bruemmer

Absent: 2 – Grcic, Kanelos

Guests: 1 - Sandra Younan (Niles Resident)

II. Approval of Building & Zoning Committee minutes from the meeting on May 18th, 2023

Niedermaier motioned to approve of meeting minutes for May 18th, 2022. Thake seconds motion.

AYES: 4 – Chairperson Niedermaier, Thake, Ostman, Wlodarski, Mangold

NAYS: 0

ABSTAIN: 0

Motion passed.

III. Old Business

a) Recap of Grow your Home Presentation

- I. Wlodarski states there was a large attendance of 50-60 people at this presentation located at the Niles Public Library. The program was advertised through social media and a survey was conducted after the meeting. There will be more presentations regarding the Grow your Home Program in the future due to many inquiries regarding the program. There is a remaining budget of around \$100,000 for waiving the permit fees regarding the program.
- II. Niedermaier asks what the demographic was.
- III. Wlodarski states the attendance consisted of residents of all ages.
- IV. Niedermaier proposed to possibly award people with well-done additions/remodels in order to promote this program even more.
- V. Ostman states the survey indicates that the residents who were present at this presentation have lived in Niles for a long time rather than new residents.
- VI. Niedermaier states that this program is vital for enhancing homes so that they are done the right way architecturally.

B.) Comp Plan Update

- I. Ostman states the Comp Plan was recently taken to the planning and zoning board. The board agreed that there was not enough information in the plan in order to take it to the Village Board. There will be a follow up discussion in regards to taking it to the Village board which will take place in August.
- II. Thake states that Village staff created a video promoting the Comp Plan. It is important for social media platforms.

C.) St. Matthews Update

- I. Ostman states after the title search took place for St. Matthew's church that still no owner has been found but the Village of Niles will be maintaining the cemetery. The Village may possibly look into doing maintenance with the surrounding fence.
- II. Niedermaier states the owner should be ultimately located and be responsible for the maintenance.
- III. Ostman states that more research has been conducted but still no owner has been found. He states that any services that were done for maintenance in the past will be looked into to see if there are any links to the owners.
- IV. Niedermaier asks how large the property is.
- V. Ostman states it is about two acres.

IV. New Business

A.) Discussion and consideration for Text Amendment, allowing certain accessory structures in corner side yards

- I. Ostman shows an example of a common corner side yard in Niles where two yards face a street. He states there have been many requests made by property owners to put accessory structures and there are many who put them in place illegally such as cover canopies/ porches. Sandra Younan (a resident present at this meeting) is requesting a change to a text amendment to allow porches/canopies in the corner side yard due to not having space in the rear. As of now, porches in the rear are illegal structures and there are a few in Niles illegally placed.
- II. Niedermaier asks why this has not been permitted in the past.
- III. Ostman states that this could cause an overflow of too many street facing structures in the future if they were allowed.
- IV. Niedermaier states that allowing structures like this can bring residents outside promoting a community. Although, there should be some restrictions so they are in an optimal place.
- V. Ostman recommends a change to the text amendment but the Community Development department would do some research on existing accessory structures in Niles and come to a general agreement on what could be potentially allowed with some conditions.
- VI. Younan states most village residents have large back yards but residents who don't still want to enjoy their yards no matter the location.
- VII. Niedermaier states the committee has the ability to change culture by what the committee decides to allow to be built for more interaction among residents. The push for more porches attracts the use of outdoor space.
- VIII. Mangold states the canopy should not be allowed to be higher than the roof line.
- IX. Ostman states there will be more research on surrounding communities to see what is allowed in terms of canopies and porches.

b. Upcoming Zoning Cases

- i. 8201 Wisner – Corner Side Yard variation for second story addition
 - I. Bruemmer states that the property located at 8201 Wisner is planning to do a 2nd story addition on an existing home that has a nonconforming side yard setback. Language to allow this currently does not exist. A previous home on Ozanam had the same issue but was later approved which most likely will occur for this property.
 - II. Ostman states language should be looked into.
 - III. Bruemmer states that there is current language that states if you have a non-conforming set back and you are only encroaching 20% or less into the required set back, you can add a 2nd floor but that only implies to the rear, front, and interior side yard. It doesn't address the corner side yard.
 - IV. Ostman states there is progression with design guidelines that would help address reconstructions like this. The draft will be brought up to the committee in the future. He states that residents should be encouraged and allowed to build up as long as they are not too close to the public sidewalk.
 - V. Wlodarski agrees that this should be allowed but language should be created for the setbacks in the case of existing houses but not new construction.

- ii. **9204 N Milwaukee Ave – Fence Variation at St. Matthew's**
 - I. Bruemmer states the St. Matthew's Church has an existing chain link fence surrounding the property along Milwaukee. The fence will be brought back 10 feet from the sidewalk and will be raised to a 6 ft. cedar fence.
 - II. Ostman states this is for privacy reasons and there will be landscaping done.

iii. 6873 N Milwaukee Ave – Special Use for Restaurant at Music Box

- I. This property previously known as “Music Box” is being planned to turn into a Steakhouse restaurant called Sabora Cafe in which the primary location is in Chicago
- II. The reason the property must seek special use is because there is an overlay district on that particular Southern stretch of Milwaukee that requires anything that is not residential to obtain special use.

iv. 8621 N Harlem – Attached porch/ pergola encroaching into corner side yard

This Item was discussed under New Business Item A

v. 7403 – 7421 Parking Variation

- I. This property is which is now a doctor’s office was previously known as a “Kiddie Kingdom”. During the initial approval the property had to leave their third tenant space open due to no parking for it. A surgery center will be taking that tenant space and variation must be sought to increase the parking spots from 97 required spaces to 89 spaces.
- II. Niedermaier states parking should always be considered prior to development for commercial spaces

c. Discussion and Consideration for proposed language for off Street Parking Maintenance.

- I. Ostman states there is language regarding off street parking in the code book. It was brought to attention that the traffic coming into Fresh Farms within the shopping center on Golf Rd is increased due to the steep incline into the entrance. Cars must slowdown in order to drive into the shopping center. The incline is about 80% and this was brought up to the owners of the shopping center. The owners are looking to lower the slope into the entrance. The same goes for the Walmart shopping center across the street which presents a hazard to oncoming traffic. This type of project would have to be approved by the Illinois Department of Transportation.
- II. Niedermaier agrees that Golf Rd is a very accident prone area and the improvements should be encouraged and done.

Next Meeting July 20th, 2023.

V. Adjournment

Niedermaier asked for a motion to adjourn. Wlodarski motioned to adjourn until July 20th, 2023.