

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

August 15, 2019



Chairman Charlie Sheridan called the meeting to order at 7:00 p.m. in the Ottawa City Council Chambers.

Roll Call

Present: Charlie Sheridan, Earl Lecki, Vince Kozsdiy, and Dan Bittner. Also present was city staff member Matt Stafford.

Meeting

The meeting was called to order by Chairman Sheridan at 7:00 p.m. It was moved by Vince Kozsdiy and seconded by Earl Lecki that the minutes of the previous meeting be approved. The motion passed unanimously.

Mr. Sheridan then recounted the city ordinance provisions for granting zoning variances, per Section 118-19(g)(3) of the city zoning ordinance (see attached). He noted that there were two items for consideration by the board.

Item 1

Property: Lots 4 & 5 in Block 4 in Ottawa North Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 215-217 Deleon Street.

Applicant: Martin Phalen.

Review: Mr. Phalen requested to build a garage with dimensions of 30' x 44' to accommodate 3 vehicles. The garage will be built on the vacant lot adjacent to the lot with his 2 story house. There is no garage on the lot with the house. He said he has filed the paperwork with LaSalle County to have the properties combined into one PIN. When asked, he stated the footprint of the house is 980 square feet.

Action: It was moved by Earl Lecki to recommend a maximum area variance to allow construction of a detached garage with a footprint not to exceed 1,320 square feet (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)a.). Vince Kozsdiy seconded the motion and it passed unanimously.

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Item 2

Property: The West 15 feet of Lot 5 and all of Lot 6 in Block 1 in McCarty and White's Subdivision in Ottawa City Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 810 Christie Street.

Applicant: Jon and Nancy Lowe.

Review: The property owners wish to construct a 12' x 16' gazebo in place of their above ground pool. They are requesting a rear setback of 2 feet to accommodate this project.

Action: It was moved by Vince Kozsdiy to recommend a rear yard depth variance (Ottawa, Illinois Municipal Code, Sec. 118-4(a)(4)b.), to allow construction of a 12' x 16' gazebo 2 feet from the rear (east) property line. The motion was seconded by Earl Lecki, and was passed unanimously.

Having no further business in front of it, Dan Bittner moved to adjourn the meeting; the motion was seconded by Vince Kozsdiy, and ended at 7:30 p.m.

Respectfully submitted,

DAN BITTNER

ZBA Variance Considerations

Section 118-19(g)(3) Standards for Variances

The Zoning Board of Appeals shall not recommend a variance from the regulations of this ordinance unless it shall make written findings based on evidence presented to it in each specific case that all the standards for hardships set forth are met.

- a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district wherein the property is located.
- b. The plight of the owner is due to unique circumstances such that the enforcement of this Ordinance would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.
- c. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.
- d. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- e. The granting of the variation will not be detrimental to the public welfare or injurious to other property and improvements in the neighborhood in which the property is located, and will not overcrowd the land or create undue concentration of population.