

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

May 28, 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, Todd Volker, Vince Kozsdiy, John Stone 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 John Stone and seconded by Vince Kozsdiy 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 three items for consideration by the board.

Item 1

Property: The West 180 feet of the North 10 feet of Outlot 46 and the West 88 of Outlot 47 & 48 in Assessor's Subdivision in the City of Ottawa, La Salle County, Illinois, commonly known as 522 W. Main Street.

Applicant: Judson Partridge.

Review: Mr. Partridge discussed his interest in constructing an addition to his building and sought a side yard setback variance. Upon review, the ZBA recognized that he did not need a setback variance because the property is zoned D (Commercial/Light Industry), and the city ordinance (Ottawa, Illinois Municipal Code, Sec. 7-E-4) allows his project to go forward without the variance.

Action: Vince Kozsdiy moved that Judson Partridge, owner of the West 180 feet of the North 10 feet of Outlot 46 and the West 88 of Outlot 47 & 48 in Assessor's Subdivision in the City of Ottawa, La Salle County, Illinois, commonly known as 522 W. Main Street, requesting a five-foot variance on the west side of the property for the extension of a building, be allowed to withdraw his petition for a variance. Charles Sheridan seconded the motion and it passed unanimously.

Item 2

Property: Lot 6 in Block 2 in Hess' Subdivision of Lot 37 & part of Lot 36 & the West 9 feet of Lot 7 in Ottawa City Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 1520 Pleasant Place.

Applicant: Laura Johnson and Mike Lowe.

Review: The property owners wish to construct a garage to match up to a driveway that was originally built directly upon the property line. Having discovered this anomaly, they purchased the strip of land the driveway was built upon, and now wish to build a garage. Property constraints dictate that the garage be close to the property line in order to line up with the driveway.

Action: It was moved by John Stone to recommend a two-foot sideyard setback variance (Ottawa, Illinois Municipal Code, Sec. 4-A-4C), with the stipulation that garage drainage be toward the north (back) side of the garage and not drain along the property line. The motion was seconded by Dan Bittner, and was passed unanimously.

Item 3: Lot 5 in Block 3 in Stawn & Hammon's Addition in the City of Ottawa, Illinois, commonly known as 1323 W. Jefferson Street.

Applicant: Kristina Thrush.

Review: ZBA posted minutes recorded that side and rear yard setbacks were needed in order for applicant to construct a garage. The ZBA upon review ascertained that the project required two variances.

John Stone moved to recommend a variance request to build (Ottawa, Illinois Municipal Code, Sec. 2-F-4) the garage with the stipulation that it cannot exceed 124% of the area of the main dwelling. The motion was seconded by Todd Volker and passed unanimously.

John Stone then moved to recommend a variance allowing the garage to be constructed up to 60 feet over the 900-foot maximum for accessory use structures in single family residence districts (Ottawa, Illinois Municipal Code, Sec. 4-A-1e). The motion was seconded by Vince Kozsdiy and passed unanimously.

Having no further business in front of it, Vince Kozsdiy moved to adjourn the meeting; the motion was seconded by John Stone, and ended at 7:45 p.m.

Respectfully submitted,

TODD VOLKER
ZBA Secretary

ZBA Variance Considerations

Section 29 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 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.