

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS
April 18th, 2019

Roll Call

Present: John Stone, Vince Kozsdiy, Tom Aussem, Earle Lecki

Meeting

The meeting was called to order by Chairman Stone at 7:00 p.m. It was moved by Tom Aussem and seconded by Earle Lecki that the minutes of the previous meeting be approved.

Chairman Stone recounted the city ordinance provisions for granting zoning variances, per Section 118-19, G, 3 of the city zoning ordinance. Chairman Stone then noted that there were three items for consideration (see attached).

Item 1

Lot 11 in Block 11 in Highland Second Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 534 owned by Paul Zenke for the purpose of a request for side and rear yard setback variances to construct a garage.

Applicant: Paul Zenke

Review: Applicant original request was a variance to have a 2' side yard setback instead of the 5' side yard setback for a new detached garage with alley access. The alley set back will be the 5' required by zoning. He intends to build a 24' x 24' detached garage structure for a total area of 576 SF. It was noted that the current zoning area is limited to 500 SF. The Owner requested a variance for the 576 SF area.

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the variance for a 2' side yard setback and the garage area of 576 SF. The motion to grant the variance was Earle Lecki and second was made by Tom Aussem and it passed unanimously.

Item 2

Lot 13 and the East 3 feet of Lot 14 and the South 44 feet of the East 3 feet of Lot 9 in Block 59 in State's Addition to the City of Ottawa, La Salle County, Illinois, commonly known as 312 East Lafayette Street owned by Joshua Kazmierczak for the purpose of a request for rear yard setback variances to construct a back porch.

Applicant: Joshua Kazmierczak

Review: Applicant original request was a variance to have a 2' side yard setback instead of the 5' side yard setback for a new rebuilt rear porch room with a 24" wide trenched footing and concrete slab.

The new gable roof overhang will be 2' from the existing property line.

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the variance for a 2' side yard setback and the 2' gable roof setback. The motion to grant the variance was John Stone and second was made by Earle Lecki and it passed unanimously.

Item 3

Lot 13 of the West Peninsula Unit 1 at Heritage Harbor Ottawa in the City of Ottawa, La Salle County, Illinois, commonly known as 10 Port Place, owned by Witmore Development LLC for the purpose of a request for a side yard setback variance to construct a porch.

Applicant: Kevin Donovan with Witmore Development LLC

Review: Applicant original request was a variance to have a covered porch extend into the existing 5' side yard setback by 3'-6" and the porch roof overhang no more than 1' or 6" from the property line.

The porch will face a park space and not impede on the adjacent duplex unit.

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the variance for a 1'-6" yard setback for the porch and 6" for the porch roof overhang.

The motion to grant the variance was Vince Kozsdiy and second was made by Tom Aussem and it passed unanimously.

With no further business before it, Tom Aussem moved that the ZBA be adjourned. This was seconded by John Stone and passed unanimously. The meeting was concluded at 7:40 pm.

Respectfully submitted,

Earle Lecki
Acting 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.