

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS (ZBA)

January 16, 2020



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

Roll Call

Present: Chairman Charlie Sheridan, Vince Kozsdiy, John Stone (via speaker phone), 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 Dan Bittner and seconded by Vince Kozsdiy that the minutes of the previous meeting be approved. The motion passed unanimously.

Chairman Sheridan then recited the City Ordinance provisions for granting zoning variances, per Section 118-19, G, 3 of the City Zoning Ordinance (see attached). Chairman Sheridan noted that there was one (1) item for consideration before the ZBA, being a side yard setback for new construction. All present members of the ZBA having been previously provided copies of the pending request by Ottawa City Clerk, Shelly Munks, via regular mail. Requesting entity being the owner of the subject premises, Witmore Development, P.O. Box 336, Burlington, WI 53105.

Item 1

Property: Lot 10 in the West Peninsula at Heritage Harbor in the City of Ottawa, La Salle County, Illinois, commonly known as 10 Port Place.

Applicant: Witmore Development, represented by Mr. Kevin Donovan.

Review: Mr. Donovan explained Witmore Developments' need for a four-foot (4') variance of the existing platted five-foot (5') setback being, the need to expand the first-floor square footage of the residence to be constructed on the property (see Ottawa, Illinois Municipal Code, Sec. 118-). The completed structure would encroach three-feet (3') with a one-foot (1') overhang within the five-foot setback on the North side of the subject premises facing a platted open area as evidenced on said Plat attached to the Applicants submission for the variance. No further questions were presented by the ZBA after Mr. Donovan's presentation and no other objections heard from the audience.

Action: Vince Kozsdiy moved that the ZBA recommend the owner's request for a variance be approved with the completed structure allowed to encroach into the five-foot (5') setback by three-feet (3') with a one-foot (1') overhang for a total four-foot (4') variance of the five-foot (5') setback on the North side of the subject premises facing a platted open area as evidenced on said Plat attached to the Applicants submission for the variance. The motion was seconded by Dan Bittner and passed unanimously.

Conclusion

Having no other business in front of the ZBA, Dan Bittner moved to adjourn the meeting; the motion was seconded by John Stone, and the meeting adjourned by Chairman Sheridan at 7:40 P.M. on January 16, 2020.

Submitted,

Vincent Kozsdiy
ZBA Acting 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.