

# MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

April 16, 2020



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

## **Roll Call**

Present: Charlie Sheridan, John Stone, 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 Dan Bittner 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: East half of Lots 9 & 10 in the Resubdivision of Lot 1 of Assessor's map in the City of Ottawa, La Salle County, Illinois, commonly known as 2207 Boyce Place.

Applicant: Gavin Aubry.

Review: Mr. Aubry requested to build a second garage with dimensions of 30' x 22' on the vacant lot approximately 10 feet north of his house. The existing garage behind his house is 24' x 24' which will bring the total square footage of both garages to 1,236. This exceeds the 900 square feet maximum by 336 square feet.

Action: It was moved by Vince Kozsdiy to recommend a maximum area variance to allow construction of a second detached garage with a footprint not to exceed 660 square feet with the combined total of both garages not to exceed 1,236 square feet (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)a.). John Stone seconded the motion and it passed unanimously.

## **Item 2**

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

Applicant: Martin Sean Phalen.

Review: Mr. Phalen requested to construct a garage with dimensions of 32' x 46' on the vacant lot (recently combined into one PIN) east of his house. A variance was granted last year to allow construction of a detached garage not to exceed 1,320 square feet (30' x 44') on this property. After discussing the size with a contractor, Mr. Phalen is requesting the larger size to allow the use of columns to support the second floor and to allow room for a staircase

without losing the ground floor area needed for personnel vehicle storage. The existing garage behind his house will be demolished after completion of the new garage.

Action: It was moved by Vince Kozsdiy to recommend a maximum area variance to allow construction of a detached garage with a footprint not to exceed 1,472 square feet (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)a.) and that the existing garage shall be demolished upon erection of the new garage with a time limit established at the discretion of the building official. Dan Bittner seconded the motion and it 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 7:40 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.