

## MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

May 20 ,2021

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, Earl Lecki, Tricia Flavel 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 Earl Lecki and seconded by Vince Kozsdiy that the minutes of the previous meeting be approved. The motion passed unanimously.

Mr. Sheridan the 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 four items for consideration by the board.

### **Item 1**

The East 62 feet of Lot 1 & the North 34 feet of the East 62 feet of Lot 6 in Block 59 in State's addition in the City of Ottawa, La Salle County, Illinois, commonly known as 327 E. Washington Street.

Applicant: Donald Doty, Jr.

Review: Applicant discussed improvement project, requesting three variances: to allow accessory structure in front yard (corner property; two front yards), for front yard setback, for fence ordinance.

Action: Vince Kozsdiy moved (second by Earl Lecki) that the three variances be recommended for granting, moving to recommend (1) allow solid (zero visibility) fence on the east side of the property, to be located on the property line, (2) the 10' x 10' accessory structure/utility shed be placed in the front yard, and (3) the fence should not be subject to the ordinance requirement of 50% visibility but allowed total privacy fence. Unanimously approved to recommend variance.

### **Item 2**

Lot 2 except the East 60 feet thereof in Block 23 in Champlin's Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 1530 Sycamore Street.

Applicant: Agnieszka Brandobur

Action: Applicant seeks variance from the fence ordinance. Project was discussed. Vince Kozsdiy moved that three variances connected to the project be recommended for granting: (1) replace an existing 6' fence with a new 6' fence as depicted by petitioner's diagram attached to the application; (2) grant variance to the 50% visibility requirement in the fence ordinance, allowing the construction of a privacy fence; and (3) the project must be in conformity/compliance with IDOT's Bureau of

Local Roads and Streets Manual, Sec. 28-3. The motion was seconded by Todd Volker and unanimously approved.

Item 3

The South half of Lot 10 in William Subdivision of the South part of Block 1 and the North part of Highland Park in the City of Ottawa, La Salle County, Illinois, commonly known as 441 Park Avenue.

Applicant: Steven Swett

Action: Project discussed; request variance for construction of new accessory structure and fence ordinance variance. Location is a corner lot. Vince Kozsdiy moved to recommend the following variances be granted, seconded by Tricia Flavel: (1) allow the height of the fence on the corner lot to be 6', (2) allow the accessory structure on the front yard as described in the application; (3) recommend variance be granted allowing the fence structure to be less than 50% visibility. Motion passed unanimously.

Item 4

Lot 6 in Block 4 in Gracefield Subdivision in the City of Ottawa, La Salle County, Illinois, commonly known as 610 Lainey Avenue.

Applicant: Artillery Riewaldt, III

Action: Discussion of garage project. It was moved by Tricia Flavel and seconded by Vince Kozsdiy to recommend granting variances from the rear yard setback requirement, permitting the structure to be from 5'-3' from the northeast property line as depicted in the project application. Motion passed unanimously.

Having no further business in front of it, the meeting was adjourned at 7:15 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.