

# MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

June 17, 2021



Chairman Charlie Sheridan called the meeting to order at 7:10 p.m. in the Ottawa City Council Chambers.

## **Roll Call**

Present: Charlie Sheridan, Vince Kozsdiy, Bill Stevenson, Tricia Flavel, and Dan Bittner. Also present was city staff member Matt Stafford.

## **Meeting**

The meeting was called to order by Chairman Sheridan at 7:10 p.m. It was moved by Vince Kozsdiy and seconded by Bill Stevenson 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 eight items for consideration by the board.

## **Item 1**

Property: Sub-Lots 4 and 16, (EXCEPTING therefrom the North 120 feet of said Sub-Lot 4) of Lot 1 in the Re-Subdivision of Lot 25 of Ottawa City Addition to Ottawa, as per Plat thereof recorded in the Office of the Recorder of Deeds of LaSalle County in Book "J" of Plats, Page 76 situate in the City of Ottawa, situated in LASALLE COUNTY, ILLINOIS commonly known as 1224 Ottawa Avenue.

Applicant: Michael Olander

Review: Mr. Olander requested to rebuild his garage that was destroyed by the derecho storm that hit Ottawa on August 10<sup>th</sup>, 2020. He requested to build the new garage larger with dimensions of 26' x 40' which exceeds the 900 square feet maximum by 140 square feet and exceeds the footprint of his house by more than 50%. No opposition to his request was presented.

Action: It was moved by Vince Kozsdiy to recommend maximum area variances (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)a.) to allow construction of a detached 26' x 40' garage that exceeds the area of the principal structure by more than 50% and is 140 square feet more than the allowable area. Bill Stevenson seconded the motion and it passed unanimously.

## **Item 2**

Property: Lot 8 in Block 1 in Cooley's Addition to Ottawa; situated in LaSalle County, Illinois commonly known as 620 Adams Street.

Applicant: Paul Zenke

Review: Mr. Zenke requested to add onto his existing detached one car garage an additional 20 feet straight back resulting in a proposed structure 14 feet by 36 feet (504 square feet). The existing garage is 2 feet from the south side lot line and the addition will put the back wall within 3 feet of the rear lot line. Discussion regarding proximity of adjacent neighboring structures resulted in applicant agreeing to construct the east and south walls of the proposed garage to the standards of a one-hour firewall. No opposition to his request was presented.

Action: It was moved by Vince Kozsdiy to recommend side and rear lot line minimum distance variances (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)c.2.&3.), to allow construction of a 20 feet addition to the existing detached garage (final dimensions 14' x 36') 3 feet from the rear lot line and 2 feet from the side (south) property line with a maximum 12" eave overhang along the south side of the garage; and a maximum area variance (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)a.) to allow this detached 504 square feet detached garage to exceed 50 percent of the footprint of the principle structure. The east and south walls of the proposed garage are to be constructed to the standards of a one-hour firewall. Bill Stevenson seconded the motion and it passed unanimously.

### **Item 3**

Property: Lot 13 in Block 2 in Strawn and Hammon's Addition to Ottawa; situated in LaSalle County, Illinois commonly known as 1356 W. Jefferson Street.

Applicant: Jacob Ganiere

Review: Mr. Ganiere requested to replace a fence that was damaged by the derecho storm that hit Ottawa on August 10<sup>th</sup>, 2020. He wants to replace the existing nonconforming 6 feet tall wood privacy fence with a 6 feet tall vinyl privacy fence. He has a small yard on a corner lot, so he is requesting to put the fence back at the same location. No opposition to his request was presented.

Action: It was moved by Vince Kozsdiy to recommend front yard fence variances (Ottawa, Illinois Municipal Code, Sec. 22-126(1)d.1.and 3.), to allow construction of a 6 feet tall privacy at the same location as the existing fence and a variance to allow the fence be placed on the property line less than 12 inches from a public sidewalk (Ottawa, Illinois Municipal Code, Sec. 22-126(1)c.). Tricia Flavel seconded the motion and it passed unanimously.

### **Item 4**

Property: Lots 9 & 14 in Block 89 in State's Addition to the City of Ottawa, LaSalle County, Illinois commonly known as 700 LaSalle Street.

Applicant: JBM Management Group, LLC

Review: John Mathias representing JBM Management Group requested as part of a complete revitalization of the property to replace the existing sign mounted on the corner of the building with a less obtrusive sign. The new sign will extend 3 feet above the one-story building. No opposition to his request was presented.

Action: It was moved by Vince Kozsdiy to recommend a 5 feet variance to the sign regulation (Ottawa, Illinois Municipal Code, Sec. 6-34(m)) to allow the top of the sign mounted on this building to be 3 feet above the building. Tricia Flavel seconded the motion and it passed unanimously.

**Item 5**

Property: Lot 1 Sec 8-33-4 Port Place West at Heritage Harbor Ottawa, LaSalle County, Illinois, commonly known as 15 Port Place.

Applicant: Witmore Development LLC

Review: Kevin Donovan representing Witmore Development requested front lot and side lot variances to allow for floor plan layouts that meet buyer's needs. The front lot setback request is to change the setback to 13' from 19' (lots 1, 6, 7 & 8) to match surrounding homes, including those across the street. The side lot setback request is to change the setback to 1' from 5' along the south lot line (lots 1 & 6) and to change the setback to 3' from 5' along the north lot line (lots 7 & 8). There will be no buildings in the lot/ROW adjacent to the 1' side lot setback. No opposition to his request was presented.

Action: It was moved by Vince Kozsdiy to recommend front lot and side lot setback variances ((19' front yard setback shown on the Final Plat of Port Place West at Heritage Harbor Ottawa) (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)c.2.)) to allow a 13' front yard setback and a 1' setback along the south lot line. Tricia Flavel seconded the motion and it passed unanimously.

**Item 6**

Property: Lot 6 Sec 8-33-4 Port Place West at Heritage Harbor Ottawa, LaSalle County, Illinois, commonly known as 5 Port Place.

Applicant and Review: **see Item 5**

Action: It was moved by Vince Kozsdiy to recommend front lot and side lot setback variances ((19' front yard setback shown on the Final Plat of Port Place West at Heritage Harbor Ottawa) (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)c.2.)) to allow a 13' front yard setback and a 1' setback along the south lot line. Tricia Flavel seconded the motion and it passed unanimously.

**Item 7**

Property: Lot 7 Sec 8-33-4 Port Place West at Heritage Harbor Ottawa, LaSalle County, Illinois, commonly known as 3 Port Place.

Applicant and Review: **see Item 5**

Action: It was moved by Vince Kozsdiy to recommend front lot and side lot setback variances ((19' front yard setback shown on the Final Plat of Port Place West at Heritage Harbor Ottawa) (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)c.2.)) to allow a 13' front yard setback and a 3' setback along the north lot line. Tricia Flavel seconded the motion and it passed unanimously.

**Item 8**

Property: Lot 8 Sec 8-33-4 Port Place West at Heritage Harbor Ottawa, LaSalle County, Illinois, commonly known as 1 Port Place.

Applicant and Review: **see Item 5**

Action: It was moved by Vince Kozsdiy to recommend front lot and side lot setback variances ((19' front yard setback shown on the Final Plat of Port Place West at Heritage Harbor Ottawa) (Ottawa, Illinois Municipal Code, Sec. 118-2(f)(2)c.2.)) to allow a 13' front yard setback and a 3' setback along the north lot line. Tricia Flavel seconded the motion and it passed unanimously.

Having no further business in front of it, Bill Stevenson moved to adjourn the meeting; the motion was seconded by Vince Kozsdiy, and ended at 8:30 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.