

# MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

April 21, 2022



Chairman Charlie Sheridan called the meeting to order at 7:05 p.m. in the Ottawa City Council Chambers.

## Roll Call

Present: Charlie Sheridan, Vince Kozsdiy, Tricia Flavel and Earle Lecki. Also present was city staff member Matt Stafford.

## Meeting

The meeting was called to order by Chairman Sheridan at 7:05 p.m. It was moved by Earle Lecki and seconded by Vince Kozsdiy 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 three items for consideration by the board.

**Property:** Lot 8 except the South 40 feet thereof Assessor's Subdivision of the Southwest Quarter of the Northeast Quarter of Section 14 as per Plat thereof recorded in the office in Book F of Plat, Page 30, situated in the City of Ottawa, LaSalle County, Illinois. Commonly known as: 317 W. Glover Street, owned by River and Allison Abram for a variance request from the Fence Ordinance.

**Applicant:** River and Allison Abram

**Review:** River Abram requested variances from the front lot building fence height from 4 feet to 6 feet and from 50% open surface area to 100% solid area privacy fence on the West property line 41' in length and a 6' in length with gate back to existing house exterior West wall. No opposition to his request was presented.

**Action:** It was moved by Vince Kozsdiy to approve a variance No.1 to allow the construction of a 6 feet high fence instead of 4 feet high and to approve a variance No. 2 of 50% surface area to 100% solid surface area be granted. Earle Lecki seconded the motion and it passed unanimously.

**Property:** Lot 2 in Out Lot 28, except the East 2 feet thereof in Shotwell's Subdivision of the Southwest Fractional Quarter of Section 11 in Township 33 North, Range 3 East of the Third Principal Meridian, situated in the City of Ottawa, LaSalle County, Illinois. Commonly known as: 805 Webster Street owned by Helen J. Mlynarski for a variance to construct a new two-car garage (20x20) 2 feet from the East side property line instead of 5 feet per the zoning code.

**Applicant:** Helen J. Mlynarski

**Review:** Helen J. Mlynarski requested variance from the East side lot building set back of 5 feet to 2 feet to construct a new garage.

**Action:** It was moved by Vince Kozsdiy to approve a variance to allow the construction of a new garage 2 feet from the East property line with a 1-foot overhand for the roof eave to be granted. Tricia Flavel seconded the motion and it passed unanimously.

**Property:** Lot 7 and the South 15 feet of lot 6 in Griffith's subdivision of the Southeast part of Lot 6 in the Northeast Quarter of section 12, Township 33 North, Range 3, East of the Third principal Meridian, situated in the City of Ottawa, LaSalle County, Illinois. Commonly known as: 712 Griffith Court owned by Roddy LaPradd for a variances to front yard, side yard and rear yard setbacks to construct a New House 40 feet by 30 feet attached to existing garage and New Accessory Structure (25'x 28').

**Applicant:** Roddy LaPradd

**Review:** Roddy LaPradd requested variances. Variance from 20 feet to 18 feet for front yard setback for New House. Variance of 5 feet with roof eave 1 foot overhang on South side property line for New House. Variance of 0 feet for Accessory building from North property line. Variance for 2 feet setback from East property line for Accessory building. Variance from 40% building coverage of site to 42% coverage. No opposition to his request was presented based on the information to be provided by a new survey to be provided by the owner at a future meeting.

**Action:** It was moved by Vince Kozsdiy to approve a variance No.1 to allow the construction of a New House 18 feet from the East property line. Approve a variance No. 2 of 5 feet for New House with 1 foot eave overhang on South property line. for the New Accessory building from the East property line. Approval of a variance No. 5 for 40% building coverage to 42% coverage. Earle Lecki seconded the motion and it passed unanimously for variances Nos. 1,2, & 5.

Variance No.3 for a 0 feet setback for the New Accessory building from the north property line and Variance No.4 for a 2 feet setback for the New Accessory building from the East property line were tabled until next meeting or until the applicant gets the property surveyed to verify the location of the structure so the Board can clarify what is being voted on.

Having no further business in front of it, Vince Kozsdiy moved to adjourn the meeting; the motion was seconded by Earle Lecki, and ended at 8:00 p.m.

Respectfully submitted,

Earle Lecki

## **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.