

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

January 20, 2022



Chairman Charlie Sheridan called the meeting to order at 7:04 p.m. in the Ottawa City Council Chambers.

Roll Call

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

Meeting

The meeting was called to order by Chairman Sheridan at 7:04 p.m. It was moved by Bill Stevenson and seconded by Tricia Flavel 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 was only one item for consideration by the board.

Property: Lot 52 in West Peninsula Unit 1 at Heritage Harbor Ottawa, being a subdivision of part of the Fractional Southwest Quarter of Section 8, Township 33 North, Range 4 East of the Third Principal Meridian, according to the Plat thereof recorded September 26, 2008 as Document No. 2008-21917; situated in LaSalle County, Illinois. Commonly known as: 1 Windward Way, Ottawa, Illinois.

Applicant: MyLynda Moore

Review: MyLynda requested variances from the side lot and front lot building setbacks to allow construction of a 12 feet x 24 feet attached garage to her house. The garage will be 2 feet from the west side lot line and 14 feet 6 inches from the front lot line instead of the required 5 feet side lot and 21 feet front lot building setbacks shown on the Final Plat. MyLynda was asked if she had approval for this request from Heritage Harbor's Homeowners Association. She did not and was told to request a variance from the city first. MyLynda also presented an architectural rendering of the finished garage attached to her house and it was well received by the board members. No opposition to her request was presented.

Action: It was moved by Bill Stevenson to approve a variance to allow the construction of an attached garage 2 feet from the west side lot line and 14 feet 6 inches from the front lot line of the property located at 1 Windward Way. Earle Lecki seconded the motion and it passed with a 4 to 1 vote (Dan Bittner voted not in favor).

Having no further business in front of it, Bill Stevenson moved to adjourn the meeting; the motion was seconded by Earle Lecki, and ended at 7:18 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.