

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

April 18, 2024



Roll Call

Present: Charlie Sheridan, Celeste Nielsen, Melissa Hulse 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. in the Ottawa City Council Chambers.

It was moved by Melissa Hulse and seconded by Celeste Nielsen 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 four items for consideration by the board.

ITEM 1

Property: The West 50 feet of Lot 2 in Block 3 in Riverside Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 1459 Birchlawn Place.

Applicants: Dennis and Nancy Murry

Review: Dennis Murry requested variances from the side yard setback and the maximum area of accessory structures that exceed more than 50% of the primary structure to allow construction of a garage along the east side of their lot. He wants to tear down the existing 16'x26' garage that is on the east property line and construct a new 26'x36' garage 2 feet off the east property line. No opposition to their request was presented.

Action: Celeste Nielsen moved to approve the construction of a detached garage (26'x36') at 1459 Birchlawn Pl. two feet from the east property line. This will allow a variance to the side yard setback from five feet to two feet and will allow the cumulative square feet of all accessory structures to exceed 50% of the principal structure. The principal structure is currently 1240 square feet according to LaSalle County Assessment records. The proposed detached garage will be 936 square feet, which will exceed the maximum 900 square feet requirement, and the footprint will be 75% of the principal structure's footprint. Melissa Hulse seconded the motion and it passed unanimously.

ITEM 2

Property: Lots 4-6 & 10 and the SE Quarter of Lot 8 in Block 9 in College Hill Subdivision in the City of Ottawa, LaSalle County, Illinois, commonly known as 977 Bergen Avenue.

Applicant: Kimberly A Mason

Review: Kimberly Mason requested variances from the side yard setback and the maximum area of accessory structures that exceed more than 50% of the principal structure to allow construction of a garage and sunroom along the south side of her lot. She wants to tear down the existing 13.5'x30' garage and 12'x15' sunroom that is 32" from the south property line and construct a new 13'x33' garage and same sized sunroom 2.25 feet off the south property line. No opposition to the request was presented.

Action: Melissa Hulse moved to approve the construction of a new detached garage (33'x13'-429 square feet) and a sunroom (12' x 15'-180 square feet) at 977 Bergen Avenue, 2.25 feet from the south property line. This will allow a variance to the side yard setback requirement from five feet to 2.25 feet and will allow the cumulative square feet of all accessory structures to exceed 50% of the principal structure. The principal structure is currently 1136 square feet according to LaSalle County Assessment records. The proposed detached garage and sunroom will be 609 square feet, which is 54% of the principal structure's footprint. Celeste Nielsen seconded the motion and it passed unanimously.

ITEM 3

Property: Lot 4 in Block 6 except part of SE corner in Ottawa North Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 102 W. Norris Drive.

Applicant: Robinson Outdoor, LLC, represented by Danny Marler

Review: Mr. Marler requested a variance to the height, size, and setback for construction of a digital billboard at 102 West Norris Dr. He emphasized the community benefits from information that can be displayed on the sign from emergency services and non-profit organizations. Four people addressed the board in opposition to the request: Bob Eshbach, Judy McConville, and Mary Ganiere. Their concerns were about the distraction to motorists and pedestrians this sign may cause at one of the busiest intersections in LaSalle County. They also had concerns about the safety of the children getting to and from Jefferson Elementary School. One letter in opposition was also presented to the board from Ottawa Elementary School Superintendent, Dr. Michelle R. Lee. She also had concerns regarding student safety.

Action: Celeste Nielsen moved to deny the request for a variance to the sign requirements at 102 West Norris Drive. Melissa Hulse seconded the motion and it passed unanimously.

ITEM 4

Property: Part of Lot 15 in Hess' Subdivision of Lot 11 in the Subdivision of the SE Quarter of Section 14, in Township 33 North, Range 3 East of the Third Principal Meridian, in the County of LaSalle and State of Illinois, commonly known as 1200 State Street.

Applicant: Michael and Morgan Cuchiara

Review: Mr. Cuchiara requested a variance to install a six feet tall privacy fence east of their house along the north property line of 1200 State St. (south right-of-way line of Erickson St.). The reason for the request is to close in the backyard to provide a safer and more private area for their young children to play. No opposition to the request was presented.

Action: Melissa Hulse moved to deny the request for a variance for the construction of a solid six (6) foot privacy fence on the north property line of 1200 State Street. Celeste Nielsen seconded the motion and it passed unanimously.

Having no further business in front of it, Melissa Hulse moved to adjourn the meeting and Celeste Nielsen seconded the motion.

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.