

**MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS**  
**March 19, 2015**

Chairman Charlie Sheridan called the meeting to order at 7:00 PM in the Ottawa City Council Chambers.

**Roll Call**

Present: Charlie Sheridan, Vince Kozsdiy, John Stone, Todd Volker  
Absent: Steve Walsh, Dan Bittner, Aaron Batistelli

**Meeting**

Moved by John Stone, second by Vince Kozsdiy that the minutes of the February 2015 meeting be approved as written. All ayes. Motion passed.

Chairman Sheridan opened the meeting and recounted the city ordinance provisions for granting zoning variances, per Section 118-19, G, 3 of the city zoning ordinance. Chairman Sheridan noted that there were two items for board consideration.

**Item 1**

Legal description: Lot 58 in the West Peninsula Unit 1 at Heritage Harbor in the City of Ottawa, La Salle County, Illinois, commonly known as 13 Windward Way.

Variance request: A rear yard setback (Ottawa, Illinois Municipal Code Sec. 118-4-A-4B) was requested. This request would allow two steps from the rear deck to extend 2 feet into the setback.

Applicants: Mr. and Mrs. James Clancy.

The Board heard evidence with regard to the variance request of Mr. and Mrs. Clancy. Mr. and Mrs. Clancy presented testimony in favor of the request. The Board finds and determines that the testimony satisfied each of the standards for variance as contained in Section 19, G, 3 of the Zoning Ordinance, which standards are attached hereto.

It was moved by John Stone to approve the variance request; the motion was seconded by Todd Volker.

Roll Call:

	Aye	Nay		Aye	Nay
Batistelli	___	___	Stone	<u>X</u>	___
Bittner	___	___	Volker	<u>X</u>	___
Kozsdiy	<u>X</u>	___	Walsh	___	___
Sheridan	<u>X</u>	___			

**Item 2**

Legal description: Lot 6 in Block 43 in States Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 1123 Pine Street.

Variance requests: A side yard setback (Ottawa, Illinois Municipal Code, Sec. 118-4-A-4C-) and a rear yard setback (Ottawa, Illinois Municipal Code, Sec. 118-4-A-4B). This request is to replace a garage in its current location, two feet from side and rear yard. This is necessary due to the narrow size of the lot.

Applicant: Mr. Robert Zachary

The Board heard evidence with regard to the variance request of Mr. Zachary. Mr. Zachary presented testimony in favor of the request. The Board finds and determines that the testimony satisfied each of the standards for variance as contained in Section 118-19, G, 3 of the Zoning Ordinance, which standards are attached hereto.

It was moved by Vince Kozsdiy that, based on a finding of facts by the city building inspector that the side yard setback and rear yard setback variances be granted. Seconded by John Stone.

Roll Call:

	Aye	Nay		Aye	Nay
Batistelli	___	___	Stone	___	___
Bittner	___	___	Volker	<u>X</u>	___
Kozsdiy	<u>X</u>	___	Walsh	<u>X</u>	___
Sheridan	<u>X</u>	___			

Chairman Sheridan adjourned the meeting at 7:25 p.m.

Respectfully submitted;  
TODD VOLKER  
Secretary

**Municipal Code: Section 118-19, g. 3 ---Findings of Fact - Standards for variance**

The zoning board of appeals shall not recommend a variance from the regulations of this chapter unless it shall make written findings based on evidence presented to it in each specific case that all the standards for hardships set forth below are met.

- 1.) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in the district wherein the property is located.
- 2.) The plight of the owner is due to unique circumstances such that the enforcement of this chapter 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.
- 3.) The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.
- 4.) 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.
- 5.) 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.