

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS
May 18, 2017

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

Roll Call

Present: Charlie Sheridan, Tom Aussem, Todd Volker, John Stone, Dan Bittner and Vince Kozsdiy. Also present was city staff member Mike Sutfin.

Meeting

The meeting was called to order by Chairman Sheridan at 7:00 p.m. It was moved by Vince Kozsdiy and seconded by Tom Aussem that the minutes of the previous meeting be approved.

Chairman Sheridan recounted the city ordinance provisions for granting zoning variances, per Section 118-19, G, 3 of the city zoning ordinance (see attached). Chairman Sheridan then noted that there were two items for consideration.

Item 1

Property: The South 15 feet of Lot 10 and all of Lot 11 in Block 3 in Glover's Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 329 Guthrie Street.

Applicant: Gannon Neurohr.

Review: The Board heard evidence with regard to the applicant's request for a rear yard setback (City of Ottawa, La Salle County, Illinois Municipal Code Sec. 4-A-4b), and for a side yard setback (Ottawa, Illinois Municipal Code, Sec. 4-A-4C) in order to build a new garage. Upon discussing the plan, it was determined that the applicant also would require a variance from the city requirement that ancillary structures be no larger than 50% of the lot's principal structure (Ottawa, Illinois Municipal Code, Sec. 2-F-4).

Actions:

(1) Tom Aussem moved to grant the rear yard and side yard setback variances, with the stipulation that there be a minimum two-foot side yard setback, and a minimum two-foot rear yard setback from the property line. This was seconded by Vince Kozsdiy and passed unanimously.

(2) Tom Aussem then made a motion to grant applicant the 50% variance; this was seconded by Vince Kozsdiy and passed unanimously.

Item 2

Property: The North 133 feet of Lot 3 except the West 25 feet of Block 3 in Riverside Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 1463 Birchlawn place.

Applicant: Henry Faxon

Review:

The applicant wishes to build a new garage and requested a sideyard setback variance (Ottawa, Illinois Municipal Code, Sec. 4-A-4C).

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the side yard setback variance for Mr. Faxon. The motion to grant the variance---with the stipulation that there be a minimum of two foot setback from the property line, and the garage gutter not be more than one foot overhung---was made by Dan Bittner, it was seconded by Todd Volker, and it passed unanimously.

With no further business before it, Dan Bittner moved that the ZBA be adjourned. This was seconded by Todd Volker and passed unanimously. The meeting was concluded at 7:33 p.m.

Respectfully submitted,

TODD D. VOLKER
ZBA Secretary

ZBA Variance Considerations

Section 29 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 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.