

REPORT OF THE MEETING OF THE CITY OF OTTAWA  
ZONING BOARD OF APPEALS - May 21, 2015

Mayor Bob Eschbach  
City Council Members

Gentlemen:

A meeting of the Ottawa Zoning Board of Appeals was held on Thursday, May 21 at 7:00 p.m. in the Ottawa city council chambers. Members present were Vince Kozsdiy, Dan Bittner, Charlie Sheridan, Aaron Batistelli, Tom Aussem and Todd Volker. Absent was John Stone.

Charlie Sheridan called the meeting to order at 7:05 p.m. Aaron Batistelli moved to accept the minutes of the past meeting, seconded by Vince Kozsdiy, the motion was unanimously approved. Mr. Sheridan then read the conditions by which variances may be granted by the zoning board of appeals and observed that there were three variance requests pending for the ZBA to review.

Item 1

Lot 12 in Block 19 in Ottawa Center in the City of Ottawa, La Salle County, Illinois, commonly known as 516 St. George Street. Owner Anthony Mucci requested a side yard setback variance (Ottawa, Illinois Municipal Code Sec. 4-A-4c) in order to construct a carport. It was noted that the construction would replace an existing carport on the site. The public notice requirement was met by the applicant.

The Board heard evidence with regard to the variance request of Mr. Mucci. Mr. Mucci presented testimony in favor of the request, and there was no presented testimony against. The Board finds and determines that the testimony (and any other evidence) satisfied each of the standards for variance as contained in Section 19, G, 3 of the Zoning Ordinance, which standards are attached hereto.

Aaron Batistelli moved to grant the variance, specifying that the project keep a minimum distance of 3'9" from the lot line. The motion was seconded by Todd Volker and unanimously approved.

Item 2

Lot 4 in Block 1 in Day's Addition in the City of Ottawa, La Salle County, Illinois, commonly known as 211 E. Van Buren Street. Owner Joshua Reck requested a variance for a new garage project in which the garage will exceed in size more than 50% of the main structure on the lot (Ottawa, Illinois Municipal Code Sec. 2-F-A). The public notice requirement was met by the applicant.

The Board heard evidence with regard to the variance request of Mr. Reck. Mr. Reck presented testimony in favor of the request, noting that the new garage will actually be smaller than the present structure. There was no presented testimony against. The Board finds and determines that the testimony (and any other evidence) satisfied each of the standards for variance as contained in Section 19, G, 3 of the Zoning Ordinance, which standards are attached hereto.

Vince Kozsdiy moved to approve granting the variance; the motion was seconded by Aaron Batistelli and was approved by Kozsdiy, Batistelli, Sheridan, Bittner and Aussem; Volker abstaining.

Lot 3

Lot 15 of Lot 2 in Ottawa City Subdivision in the City of Ottawa, La Salle County, Illinois, commonly known as 1276 Phelps Street. The entity owning the property, KPON Properties, Inc., was represented by its owner, Keith Nugent. Mr. Nugent requested a side yard setback variance (Ottawa, Illinois Municipal Code Sec. 4-A-4c ) to construct an addition to the property. The addition will be a second floor atop an existing floor of the property. It was noted that Mr. Nugent owns adjacent properties and has a favorable record of working constructively with the City of Ottawa. The public notice requirement was met by the applicant.

The Board heard evidence with regard to the variance request of KPON Properties, Inc.. Mr. Nugent presented testimony in favor of the request, and there was no presented testimony against. The Board finds and determines that the testimony (and any other evidence) satisfied each of the standards for variance as contained in Section 19, G, 3 of the Zoning Ordinance, which standards are attached hereto.

Todd Volker moved to approve granting the variance; the motion was seconded by Tom Aussem and unanimously approved.

With no further business at hand, Aaron Batistelli moved to adjourn; the motion was seconded by Dan Bittner, was unanimously approved, and the meeting was concluded at 7:32 p.m.

Respectfully submitted,  
TODD VOLKER

ZBA Secretary

**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.