

**MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS**  
**June 15, 2017**

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

**Roll Call**

Present: Charlie Sheridan, John Stone, Dan Bittner and Vince Kozsdiy.

**Meeting**

The meeting was called to order by Chairman Sheridan at 7:00 p.m. It was moved by Vince Kozsdiy and seconded by Dan Bittner 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. Chairman Sheridan then noted that there were four items for consideration.

**Item 1**

Lot 24 in Block 7 in Highland Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 528 E. Center Street owned by Glenn Baxter, for the purpose of a request for a side yard setback variance and more than 50% of the principal structure to construct a garage.

Applicant: Glenn Baxter.

Review: Applicant wishes to add a 2-1/2 garage on the previous 1 car garage location. No information was provided on the square footage of the home however the proposed garage is 768 sq. ft.

Actions:

(1) Vince Kozsdiy moved to grant the side yard setback variance with the stipulation that there be a minimum two-foot side yard setback from the property line and the garage is no greater than 50% of the principal structure. This was seconded by Dan Bittner and passed unanimously.

**Item 2**

Lot 5 in Block 7 in Highland Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 415 4<sup>th</sup> Avenue owned by Carlos Kennedy, for the purpose of a request for a variance from the Fence Ordinance.

Applicant: Carlos Kennedy

Review: Applicant wishes to build a deck 1' off property line which would attach his pool, deck home and existing fence.

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the variance from the fence ordinance side yard setback for Mr. Kennedy. The motion to grant the variance was Vince Kozsidy with the stipulation that the Building Code Officer further review the deck set back. The second was made by Dan Bittner, and it passed unanimously.

#### Item 3

Lot 2 in Countryside Subdivision Unit 1 in the City of Ottawa, LaSalle County, Illinois, commonly known as 901 W. McKinley Road owned by Marlo Letterle, for the purpose of a request for a variance from the Fence Ordinance.

Applicant: Marlo Letterle

Review: Ms. Letterle wishes to replace her existing 6' wood fence with a new almond color vinyl fence. She wishes to have the replacement fence in the exact place the existing fence is located. Her residence is located on a corner lot which needed a variance due to our current fence ordinance. With the proposed replacement fence, no obstruction of view from street was determined.

Action: Upon hearing applicant testimony and general discussion, the board approved the variance from the fence ordinance. The motion to grant the variance was made by John Stone and second by Dan Bittner and it passed unanimously.

#### IV

Lot 2 in Block 38 in the Town of Ottawa, LaSalle County, Illinois, commonly known as 118 E. Van Buren Street owned by Tim and Linda Miller, for the purpose of a request for a front yard setback to construct a porch and new stairs.

Review: Due to the February 28<sup>th</sup> tornado, this residence sustained damage to the home and the applicants wish to construct a new porch and stairs. The stairs would extend 5' further towards property line.

Action: It was determined that the applicants could not provide information on their front property line and asked them to come back with proof / survey. It was moved by Vince Kozsidy to continue this hearing to our next scheduled ZBA Meeting. It was seconded by Dan Bittner and it passed unanimously.

With no further business before it, Dan Bittner moved that the ZBA be adjourned. This was seconded by Vince Kozsidy and passed unanimously. The meeting was concluded at 7:54 p.m.

Respectfully submitted,

John Stone  
Acting 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.