

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS
September 21st, 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, Vince Kozsdiy, Tom Aussem, Aaron Battistelli.

Meeting

The meeting was called to order by Chairman Sheridan at 7:00 p.m. It was moved by Tom Aussem and seconded by Vince Kozsdiy 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 (see attached).

Item 1

Lot 1 in block 7 in Highland Addition in the City Of Ottawa, LaSalle County, Illinois commonly known as 401 4th Avenue.

Applicant: Janet Gutierrez.

Review: Applicant was not present. Ottawa City Building Official determined that a side yard setback was not required and the fence was off the property line.

Action: No action was taken or required.

Item 2

Lot 4 in Block 12 in Green's Addition in the City Of Ottawa, LaSalle County, Illinois, commonly known as 629 Pearl Street.

Applicant: Edwin & Ellen Bussert – Represented by Charles Ker / 622 Pearl Street

Review: Request a rear yard setback to construct an 8'x10' prefab shed on a gravel base

Action: Upon hearing applicant testimony and general discussion of the project and its impacts, the board approved the variance for 3' rear yard setback. The motion to grant the variance was Tom Aussem and second was made by Aaron Battistelli and it passed unanimously.

Item 3

Lot 6 in Block 8 in Highland Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 428 4th Avenue.

Applicant: Brandon & Emily Norris

Review: Purpose of a request for a side yard setback variance to construct a garage. The property had a 9'x20' permanent shed that was damaged during the February 28th tornado which was 1' off the property line. The applicant wishes to construct a 16'x26' garage 2' off the property line.

Action: Upon hearing applicant testimony and general discussion, the board approved the side yard setback variance with 2' off the property line and no more than 1' roof overhang. The motion to grant the variance was made by Vince Kozsdiy and second by Tom Aussem and it passed unanimously.

Item 4

The South 51-1/2 feet of Lot 6 in Block 2 in Highland Park Addition in the City of Ottawa, LaSalle County, Illinois commonly known as 434 Park Avenue.

Applicant: Joseph Thiry:

Review: Request for a side yard setback variance to construct a garage due to the February 28th tornado. Applicants wish to construct a new 16' x 24' garage that replaces 10' x 20' garage. Front of the new garage will sit back a few feet from the original structure. No foreseen issues with obstructions with the neighboring garage.

Action: Upon hearing applicant testimony and general discussion, the board approved the side yard setback variance with 1' off the property line and no more than 6" roof overhang. The motion to grant the variance was made by Tom Aussem and second by Vince Kozsdiy and it passed unanimously.

With no further business before it, Vince Kozsdiy moved that the ZBA be adjourned. This was seconded by Aaron Battistelli 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.