

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS
October 20, 2016

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, Dan Bittner, John Stone and Vince Kozsdiy.

Meeting

It was moved by Tom Aussem and seconded by Vince Kozsdiy that the minutes of the previous meeting be approved.

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 (see attached). Chairman Sheridan noted that there was one item for consideration.

Item 1

Continued hearing - Lot 5 in Countryside Subdivision South Unit 2 in the City of Ottawa, La Salle County, Illinois commonly known as 844 Kimberly Lane.

Applicant: Owners Lyle and Celeste Heusner

Review: The Board heard updated information with regard to the request of Mr. and Mrs. Heusner for a fence variance (Ottawa, Illinois Municipal Code, Sec. 22-126-1D). The Heusners live on a corner lot and wish to have a six-foot high, zero visibility fence rather than the maximum-allowable height of four feet and the required 50% visibility per city ordinance.

Discussion: Several board members still had reservations with the position of the fence, materials and the height.

Action: After discussion, it was moved by John Stone and seconded by Dan Bittner to recommend the variance request to the city council. The vote was aye Dan Bittner, Charlie Sheridan, and John Stone. Nye was Vince Kozsdiy & Tom Aussem. Motion passed.

Item 2

Lot 17 in block 3 in Gracefield Subdivision in the City Of Ottawa, LaSalle County, IL., commonly known as 2308 Cherie Lane for the purpose of a request for a variance from the fence ordinance.

Applicant: Owner Paulette Schneider

Discussion: Request for the existing fence to be extended to allow access to her current side 36" garage door.

Action: After discussion, it was recommended by John Stone to recommend to city council to approve the variance and second by Tom Aussem. The vote was unanimous.

Item 3

Lot 24 in Griffith's Subdivision in the City Of Ottawa, LaSalle County, IL. Commonly know as 900 Pearl Street owned by Sebby VanHoozer, for the purpose of a request for a variance because the addition to the garage will make the accessory structures larger than 50% of the principal structure.

Applicant: Sebby Vanhoozer

Action: Applicant failed to be present. Motion was made by John Stone and second by Tom Aussem to table the hearing to the next scheduled ZBA Meeting. The motion was unanimous approved to table the hearing.

Item 4

Lot 19 in Carillon Estates Subdivision in the City Of Ottawa, LaSalle County, IL. Commonly known as 814 Catlin Street owned by Arthur Donovan II, for the purpose of a request for a side yard setback variance.

Discussion: Arthur Donovan wishes to expand or add an addition to his existing garage to east for more storage. His request is to request a side yard variance from 5' to 3' thus be 2' off the property line. We heard from citizen and neighbor's Steven & Mary Hanley about the concerns of having the expanded garage so close to their home at 810 Catlin Street. The main concern is that if the applicant's garage catches fire, their home & safety would be jeopardized. Mike Suffin – City Of Ottawa stated that the proposed expanded garage would be less than the 10' required for separation between adjacent structure. The applicant could use fire retardant materials that would minimize the spread of fire. Family member Barb Hanley – certified appraiser also spoke on behalf of Steven & Mary Hanley that property values would suffer if this expansion is granted approval.

Action: Vince Kozsdiy made a motion to deny the variance and Tom Aussem seconded the motion. The motion was unanimous approved to deny the request.

Item 5

The north 50 feet of lot 5 and the west 38-1/2 feet of the north 50 feet of lot 6 in the re subdivision of lot 22 of Ottawa City Addition in the City of Ottawa, LaSalle County, Illinois, commonly known as 314 Elm Street owned by Richard Zahn, for the purpose of a request for a side yard setback variance and an accessory structure larger than 50% of the principal structure.

Action: Applicant failed to be present. Motion was made by Tom Aussem and second by Dan Bittner to table the hearing to the next scheduled ZBA Meeting. The motion was unanimous approved to table the hearing.

Item 6

Lots 4,5 & 6 in block 16 in Green's Addition in the City Of Ottawa, LaSalle County, Illinois, commonly known as 515, 519 & 527 Congress Street owned by CL Real Estate LLC, for the purpose of a request for front and side yard setback variances and an accessory structure larger than 50% of the principal structure.

Discussion: Pat Barry represented CL Real Estate LLC . Owned properties by CL Real Estate LLC 515, 519 and 527 Congress Street are in the process of legally combining the 519 and 527 properties to be in under the 519 address. The overall intent is to demolish the existing garages on the 515 and 519 properties and build new garages for each property. The current structures on the 527 property will be demolished to accommodate the new garage for the primary residence.

Variances:

515 Congress Street – 1'5" side yard setback with 1' maximum roof over hang

519 Congress Street – Accessory structure more than 50% of primary structure

519 Congress Street – Side lot variance 1'2" to be denied and approve 2' side lot variance with 1' maximum roof overhang.

519 Congress Street – Addition of foyer to the front of the house 6' 5" to the front of the property line from 15' set back.

519 Congress Street – Front lot line set back from 15' to 14' 6".

519 Congress Street – East side lot line variance to 1'-5" with 1' maximum roof overhang.

Action: The motion was made by Vince Kozsdiy to recommend the above variances and John Stone second the motion. The motion was unanimous approved to recommend the variances.

Having no further business motion was made by Dan Bittner to adjourn; the motion was seconded by John Stone, and the board adjourned at 8:40 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.