

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

November 18, 2021



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

Roll Call

Present: Charlie Sheridan, Vince Kozsdiy, Bill Stevenson, Tricia Flavel, and Dan Bittner. Also present was city staff member Matt Stafford.

Meeting

The meeting was called to order by Chairman Sheridan at 7:00 p.m. It was moved by Bill Stevenson and seconded by Tricia Flavel that the minutes of the previous meeting be approved. The motion passed unanimously.

Mr. Sheridan then recounted the city ordinance provisions for granting zoning variances, per Section 118-19(g)(3) of the city zoning ordinance (see attached). He noted that there were three items for consideration by the board.

Item 1

Property: Lot 9 in Block 6 in College Hill Subdivision of Lots 4, 5, 6 and 10 in the Southeast Quarter of Section 14, in Township 33 North, Range 3, East of the Third Principal Meridian; situated in LaSalle County, Illinois commonly known as 402 View Street.

Applicant: Marilyn Young

Review: Mike Thrush represented the applicant requesting to construct a 6 feet tall privacy fence along the east side of the corner lot. After some discussion and explanation of his sketch he explained that the purpose fence is to close off the backyard for a dog and future swimming pool. He stated that the fence would not be installed south of the back corner of the house. No opposition to her request was presented.

Action: It was moved by Bill Stevenson to recommend residential fence variances (Ottawa, Illinois Municipal Code, Sec. 22-126(1)d.1. and Sec. 22-126(1)d.3.) to allow construction of a six feet tall privacy fence on the street side of a corner lot no further south than the back corner of the house. Tricia Flavel seconded the motion and it passed with a 4 to 1 vote (Vince Kozsdiy voted not in favor).

Item 2

Property: Lots 17 and 18 in Block 2 in Phillips Addition to Ottawa, situated in the City of Ottawa, LaSalle County, Illinois commonly known as 1404 W. Madison Street.

Applicant: Lindsey Rueckmann

Review: Mrs. Rueckmann requested to construct a 6 feet tall privacy fence along the east side of the corner lot. The fence will be behind the existing lilac bushes (approx. 16 feet west of Armstrong St.) and stop just north of the front corner of the house (approx. 71 feet north of Madison St.). She explained that the purpose fence is to close off the backyard for their two dogs and a future swimming pool. No opposition to her request was presented.

Action: It was moved by Bill Stevenson to recommend residential fence variances (Ottawa, Illinois Municipal Code, Sec. 22-126(1)d.1. and Sec. 22-126(1)d.3.) to allow construction of a six feet tall privacy fence on the street side of a corner lot no further south than the front corner of the house. Tricia Flavel seconded the motion and it passed unanimously.

Item 3

Property: Lot 1, Block 6, in Schomas Second Addition to the City of Ottawa, Illinois, County of LaSalle and in the State of Illinois commonly known as 1601 W. Jefferson Street.

Applicant: Jeremy Penfield

Review: Mr. Penfield requested a variance to allow him to keep the solid fence he built on the street side of his corner lot. He said he was unaware of the 50% visibility rule until after the final inspection. No opposition to his request was presented.

Action: It was moved by Bill Stevenson to recommend a residential fence variance (Ottawa, Illinois Municipal Code, Sec. 22-126(1)e.) to allow the solid fence previously constructed on the street side of a corner lot between the house and garage to remain in place. Tricia Flavel seconded the motion and it passed unanimously.

Having no further business in front of it, Bill Stevenson moved to adjourn the meeting; the motion was seconded by Dan Bittner, and ended at 7:30 p.m.

Respectfully submitted,

DAN BITTNER

ZBA Variance Considerations

Section 118-19(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 alter the essential character of the neighborhood and 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.