

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

December 22, 2021



Chairman Charlie Sheridan called the meeting to order at 7:03 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 7:03 p.m. It was moved by Bill Stevenson and seconded by Vince Kozsdiy 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 two items for consideration by the board.

Item 1

Property: LOTS 5, 6 AND 7 IN BLOCK 12 IN CHAMPLIN ADDITION, EXCEPTING THAT PART OF SAID LOT 5 DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 10 FEET NORTH OF SOUTHWEST CORNER OF SAID LOT 5, THENCE RUNNING NORTH 86 DEGREES 40 MINUTES EAST 130.2 FEET TO EAST LINE OF SAID LOT 5, THENCE NORTH 35 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, THENCE WEST 130 FEET TO WEST LINE OF SAID LOT 5, THENCE SOUTH 40 FEET TO PLACE OF BEGINNING, SITUATED IN CITY OF OTTAWA, COUNTY OF LASALLE AND STATE OF ILLINOIS; ALSO THAT PART OF WEST STREET (NOW VACATED) DESIGNATED AS PARCEL "A" AS SHOWN BY A CERTAIN PLAT OF SURVEY RECORDED AS DOCUMENT NO. 627284 AS THE LASALLE COUNTY RECORDER OF DEED; SITUATED IN LASALLE COUNTY, ILLINOIS.

Applicant: Melissa Oaks

Review: Melissa requested a variance to allow the 8 feet tall fence constructed in her back yard between her house and garage remain in place. She had the shorter deteriorating plastic fence replaced with this taller fence to contain her Great Dane. She also said this fence keeps the dog's barking down since she can't jump high enough to see over it. Bill Stevenson and Tricia Flavel both commented that the fence looked nice and enhanced the appearance of the property. No opposition to her 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 construction of an eight feet tall wood privacy fence in the back yard of the property located at 540 Deleon Street. Tricia Flavel seconded the motion and it passed with a 4 to 1 vote (Vince Kozsdiy voted not in favor).

Item 2

Property: The West 15.37 feet of Lot 5 and the East 29.63 feet of Lot 6, in Block 1, Green's Addition to the City of Ottawa, situated in the City of Ottawa, LaSalle County, Illinois.

Applicants: Candice Hadley and Leigh Anne Scoughton

Review: Candice and Leigh requested a variance to the front yard setback for replacement of an existing deck with a covered porch. The existing deck is approximately 18 feet from the front property line and the code requires 20 feet. The proposed porch will be approximately 16 feet from the property line and 49 feet from the center of Chapel Street. The proposed porch will also be farther back from the property line than two other homes/porches to the east. No opposition to their request was presented.

Action: It was moved by Bill Stevenson to recommend a residential front yard setback variance (Ottawa, Illinois Municipal Code, Sec. 118-4(4)a.) to allow construction of a porch with a roof no closer than 49 feet from the center of Chapel Street (16 feet from the south property line). Tricia Flavel seconded the motion and it passed unanimously.

Having no further business in front of it, Dan Bittner moved to adjourn the meeting; the motion was seconded by Charlie Sheridan, and ended at 7:23 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.