

# MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

July 20, 2023



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, Celeste Nielsen, Melissa Hulse 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 Melissa Hulse 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 was only one item for consideration by the board.

**Property:** Lot 1 in Block 1 in Schomas' Addition in the City of Ottawa, LaSalle County, Illinois. Commonly known as: 1401 W. Lafayette Street, Ottawa, Illinois.

**Applicant:** Tamyka Zenke

**Review:** Tamyka requested variances from the front yard fence requirements to allow construction of a 6 feet tall privacy fence along the east side of her lot. Her tenants requested the fence to provide privacy and security for their young children. No opposition to her request was presented.

**Action:** Vince Kozsdiy moved to approve a variance to the maximum fence height of 4 feet and a variance to the requirement of 50% visibility through the fence surface in a front yard to allow for the construction of a solid six (6) feet tall privacy fence from the back corner of the house to the garage along the east side of the property at 1401 W. Lafayette Street. Said fence to be installed within the property boundary evidenced by a survey. Dan Bittner seconded the motion and it passed unanimously.

Having no further business in front of it, Vince Kozsdiy moved to adjourn the meeting; Melissa Hulse seconded the motion, and the meeting ended at 7:20 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.