

MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

January 9, 2018



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

Roll Call

Present: Charlie Sheridan, Tom Aussem, Todd Volker, Vince Kozsdiy and John Stone. Also present was city staff member Mike Sutfin.

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, November 2017, meeting be approved. The motion passed unanimously.

Chairman Sheridan the 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

Property: Lots 10 & 11, except the North 10 feet of said Lot 11 in McCarty and White's Subdivision to Ottawa, La Salle County, Illinois, commonly known as 918 Chambers Street.

Applicants: Michael and Toni Anderson.

Review: Mr. Anderson discussed his request for a variance from the city fence ordinance' stipulation (City of Ottawa, La Salle County, Illinois Municipal Code Section 22-126-1d) that front yard fences be no higher than four feet in height. He initiated a fencing project that called for an eight-foot front yard fence. A portion of this was built before construction was halted.

Action: The ZBA members expressed sympathy for the homeowner's plight, reviewed the text on the city's fence permit which clearly states the city's fencing stipulations, and discussed the importance of regular application of the fencing ordinance. It was moved by Charles Sheridan and seconded by Tom Aussem that the ZBA recommend to the city council that the variance request be denied. This motion carried unanimously. ZBA member Vince Kozsdiy recused himself from the vote due to personal acquaintance with petitioners.

Having no further business in front of it, Tom Aussem moved to adjourn the meeting; the motion was seconded by Todd Volker, and ended at 8 p.m.

Respectfully submitted,

TODD VOLKER
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.