

**MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS**  
**August 16, 2018**



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, Todd Volker, Dan Bittner and Vince Kozsdiy. 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 July meeting be approved. The motion passed unanimously.

Chairman Sheridan then recounted the city ordinance provisions for granting zoning variances, per Section 118-19, G, 3 of the city zoning ordinance (see below). Chairman Sheridan noted that there were two items for consideration.

**Actionable Item 1**

Property: The North 100 feet of the East 125.19 feet of Block 2 in Champlin's Addition in Ottawa, La Salle County, Illinois, commonly known as 1861 Chestnut Street.

Applicant: Michael Pufahl requesting a variance from the fence ordinance.

Review: Mr. Pufahl built a six-foot tall, zero visibility fence on his corner lot. Discussion was held about the fence being erected without a permit, the height of the fence on the lot and the fence location.

Action: It was moved by Vince Kozsdiy and seconded by Todd Volker that a variance from the fence ordinance be recommended, with the stipulation that the existing fence be removed back to a line with the northeast corner of the fence at the northwest corner of the residence, then return south to the corner of the residence and the variance also to allow applicant to retain the 0-% visibility, six-foot vinyl fence. The motion passed 4-1, with Tom Aussem voting against the recommendation.

Note that the applicant agreed to this accommodation.

**Actionable Item 2**

Property: Lot 5 in Block 15 in Glover's Addition in Ottawa, La Salle County, Illinois, commonly known as 513 Cornell Street.

Applicant: Terrence Jones, requesting variances for a side yard setback and for a secondary structure more than 50% of the principal structure.

Review: Mr. Jones began building a garage on his property and anticipated that his concrete contractor would follow local ordinances. This didn't happen; the garage's location and size are beyond ordinance requirements. The garage is almost completely built at present.

Action: It was moved by Dan Bittner and seconded by Tom Aussem to recommend the granting of both variances, with the stipulation that the secondary structure be up to 17% over the 50% limitation, and the side yard setback adjusted to allow the garage to be at up to 4'6" of the property line, allowing also for a one foot gutter overhang. The motion passed unanimously.

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

Respectfully submitted,

TODD D. 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.