

# MINUTES OF THE OTTAWA ZONING BOARD OF APPEALS

March 21, 2019



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, John Stone and new board member Earl Lecki. 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 Todd Volker that the minutes of the previous meeting be approved. The motion passed unanimously.

Mike Sutfin introduced a new member to the zoning board of appeals, Earl Lecki. Mr. Lecki has significant architectural experience, and was welcomed to the board.

Mr. Sheridan the 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 one item for consideration by the board.

## **Item 1**

Property: Lot 43 in Pembroke Subdivision Phase II in the City of Ottawa, La Salle County, Illinois, commonly known as 1241 Tower Drive.

Applicant: Jeff Stoudt. Mr. Stoudt was represented at the meeting by Mark Stoudt.

Review: Mr. Stoudt discussed a request for a variance from the city fence ordinance' stipulation concerning the height of fencing at a corner location (City of Ottawa, La Salle County, Illinois Municipal Code Section 22-126-1d); the ordinance specifies a height of 4' and the applicant requested a height of 6'.

Action: Tom Aussem moved to approve a request for a variance to allow a 6' privacy fence, to be erected in line with the southwest corner of the principal structure and running directly to the south property line. The motion was seconded by Earl Lecki and passed unanimously.

Having no further business in front of it, Tom Aussem moved to adjourn the meeting; the motion was seconded by Vince Kozsdiy, and ended at 7:35 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.