

ORDINANCE 2018-50

APPROVAL AND ISSUANCE OF A "SPECIAL USE" PERMIT TO SCOTT PEDELTY, PROPERTY OWNER, 702 N. OTTER CREEK STREET, TO ALLOW FOR DEMOLITION OF AN EXISTING RESIDENTIAL HOUSE AND THE CONSTRUCTION OF A NEW RESIDENTIAL GARAGE ONLY, UNDER THE PROVISIONS CHAPTER 17, 17.16.010, IN THE MUNICIPAL CODE OF ORDINANCES.

**WHEREAS**, Scott Pedelty, owner, has filed a petition seeking relief from the provisions of Title 17, Chapter 17.16.010 to allow for the demolition of an existing residential house and the construction of a new residential garage only, and legally described as:

Lot 8 In Block 1 of the Broadway 3<sup>rd</sup> Addition to the City of Streator.

Commonly known as 702 N. Otter Creek Street.

**WHEREAS**, a public hearing on said petition was held on November 13, 2018 by the Plan Commission pursuant to a notice of public hearing published in a newspaper of general circulation on October 27, 2018 and said hearing having been conducted by the Plan Commission as required by law.

**WHEREAS**, the Plan Commission of the City of Streator has considered all evidence, both written and oral, and recommended that the City Council approve and grant the requested special use permit.

**WHEREAS**, the City Council of the City of Streator has considered the findings and recommendation of the Plan Commission and the facts and circumstances concerning the Petition, and the City Council has determined that it is appropriate to grant the special permit as provided in this Ordinance.

**NOW, THEREFORE**, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows herein.

**Section 1:** RECITALS. The City Council hereby finds the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

**Section 2:** SPECIAL USE PERMIT GRANTED. The petition filed by Scott Pedelty, seeking relief from the provisions of Title 17, Section 17.16.010 to allow for the demolition of an existing residential house and the construction of a new residential garage only, at the property commonly known as 702 N. Otter Creek St. and legally described as:

Lot 8 In Block 1 of the Broadway 3<sup>rd</sup> Addition to the City of Streator.

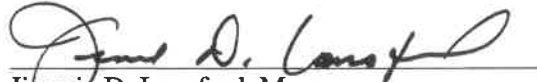
is granted and approved.

**Section 3:** SEVERABILITY. Each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance nor any part thereof, other than that part affected by such decision.


**Section 4:** EFFECTIVE DATE AND PUBLICATION. This Ordinance shall in full force and effect from and after is passage and approval and publication as required by law.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof on the **November 15, 2018** and approved by me as Mayor on the same day.

APPROVED:

  
Jimmie D. Lansford, Mayor

ATTESTED:

  
Patricia L. Henderson, City Clerk

	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch	√			
Councilman Joe Scarbeary	√			

PLAN COMMISSION RECOMMENDATION 2018-14

RECOMMENDING APPROVAL AND ISSUANCE OF A "SPECIAL USE PERMIT" TO SCOTT PEDELTY, PROPERTY OWNER, 702 N. OTTER CREEK STREET, TO ALLOW FOR THE DEMOLITION OF AN EXISTING RESIDENTIAL HOUSE AND THE CONSTRUCTION OF A NEW RESIDENTIAL GARAGE ONLY, UNDER THE PROVISIONS OF CHAPTER 17, 17.16.010.

WHEREAS, Scott Pedelty, owner, 702 N. Otter Creek Street, Streator, Illinois. has filed an application and petition seeking a "special use" permit to allow for the demolition of an existing residential house and the construction of a new residential garage only, under the provisions of Chapter 17, 17.16.010 for property legally described as:

Lot 8 in Block of the Broadway 3<sup>rd</sup> Addition to the City of Streator.

Commonly known as 702 N. Otter Creek Street; and

WHEREAS, said Petition has been received and duly considered by the Plan Commission of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof, held on November 13, 2018; and

WHEREAS, a public hearing on said Petition was held on November 13, 2018 by the Plan Commission pursuant to a notice of public hearing published in a newspaper of general circulation on October 27, 2018 as required by law; and

WHEREAS, the Plan Commission of the City of Streator has considered all evidence, both written and oral, including a report of the City Engineer recommendations, findings and conditions;

NOW THEREFORE, be it resolved by the Plan Commission of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows:

SECTION 1: That the Plan Commission finds as follows:

- a.) That the establishment, maintenance, or operation of the use or combination of uses will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the residents of the City;
- b.) That the proposed use will not diminish the use or enjoyment of other property in the vicinity for those uses or combination of uses which are permitted by this zoning title;
- c.) That the establishment of the proposed use will not impede the normal and orderly development and improvement of surrounding properties for uses or combination of uses otherwise permitted in the zoning district;
- d.) That the proposed use will not diminish property values in the vicinity;
- e.) That the proposed use will be consistent with the character of the City;
- f.) That the proposed use will not materially affect a known historical or cultural resource;
- g.) That the design of the proposed use considers its relationship to the surrounding area and minimizes adverse effects, including visual impacts of the proposed use on adjacent property;
- h.) That the design of the proposed use promotes a safe and comfortable pedestrian environment;

- i.) That the propose use has included adequate consideration consistent with these standards for buffers, landscaping, fencing, lighting, building materials, public open space, and other improvements associated with the proposed use; and

SECTION 2: That the Plan Commission recommends approval and issuance of a “special permit” to the City Council of the City of Streator as provided in Chapter 17, 17.16.16.010 of the Streator Municipal Code of Ordinances.

SECTION 3: That this recommendation shall be immediately transmitted together with a copy of the minutes of said meeting to the City Council for final review and approval.

Passed by the Plan Commission of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof held on the **November 13, 2018** and approved by me as chairman on the same day.

\_\_\_\_\_  
Doug Patterson, Chairperson

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Dean Chalkey				
Harry Godfrey				
Bob Gubbels				
Jeff Hatzer				
Doug Patterson				
Richard Pierce				
Jeanette Strabala				

ORDINANCE 2018-50

APPROVAL AND ISSUANCE OF A "SPECIAL USE" PERMIT TO SCOTT PEDELTY, PROPERTY OWNER, 702 N. OTTER CREEK STREET, TO ALLOW FOR THE DEMOLITION OF AN EXISTING RESIDENTIAL HOUSE AND THE CONSTRUCTION OF A NEW RESIDENTIAL GARAGE ONLY, UNDER THE PROVISIONS CHAPTER 17, 17.16.010, IN THE MUNICIPAL CODE OF ORDINANCES.

**WHEREAS**, Scott Pedelty, owner, has filed a petition seeking relief from the provisions of Title 17, Chapter 17.16.010 to allow for the demolition of an existing residential house and the construction of a new residential garage only, and legally described as:

Lot 8 In Block 1 of the Broadway 3<sup>rd</sup> Addition to the City of Streator.

Commonly known as 702 N. Otter Creek Street.

**WHEREAS**, a public hearing on said petition was held on November 13, 2018 by the Plan Commission pursuant to a notice of public hearing published in a newspaper of general circulation on October 27, 2018 and said hearing having been conducted by the Plan Commission as required by law.

**WHEREAS**, the Plan Commission of the City of Streator has considered all evidence, both written and oral, and recommended that the City Council approve and grant the requested special permit..

**WHEREAS**, the City Council of the City of Streator has considered the findings and recommendation of the Plan Commission and the facts and circumstances concerning the Petition, and the City Council has determined that it is appropriate to grant the special permit as provided in this Ordinance.

**NOW, THEREFORE**, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows herein.

Section 1: RECITALS. The City Council hereby finds the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

Section 2: SPECIAL USE PERMIT GRANTED. The petition filed by Judith A. Richardson, seeking relief from the provisions of Title 17, Section 17.16.010 to allow for the demolition of an existing residential house and the construction of a new residential garage only, at the property commonly known as 1203 N. Wasson and legally described as:

Lot 8 In Block 1 of the Broadway 3<sup>rd</sup> Addition to the City of Streator.

is granted and approved.

Section 3: SEVERABILITY. Each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance nor any part thereof, other than that part affected by such decision.

Section 4: EFFECTIVE DATE AND PUBLICATION. This Ordinance shall in full force and effect from and after is passage and approval and publication as required by law.

Passed by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a regular meeting thereof on the **November 15, 2018** and approved by me as Mayor on the same day.

APPROVED:

\_\_\_\_\_  
Jimmie D. Lansford, Mayor

ATTESTED:

\_\_\_\_\_  
Patricia L. Henderson, City Clerk

	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford				
Councilwoman Tara Bedei				
Councilman Ed Brozak				
Councilman Brian Crouch				
Councilman Joe Scarbeary				

City of Streator  
204 S. Bloomington Street  
Streator, Illinois 61364  
815/672-2517 fax 815/672-7566



PETITION FOR A SPECIAL USE PERMIT

Petitioner(s): Scott Pedelty Telephone: 815-672-7185  
Mailing Address: 614 Indiana Ave. Streator, IL Fax: \_\_\_\_\_  
Petitioner's Representative: Gerald A Drendell Telephone: 815-673 4344  
Mailing Address: 51 E Main St Streator IL Fax: 815 672 0101  
61364

1. Application fee is \$300.00, unless submitted at the same time as a zoning or rezoning request. In that case the combined fee for both applications is \$400.00. Applicant will be required to reimburse the City of any cost of legal notices.

2. The petitioner petitions the City of Streator for a special use permit for the following property:

a. Legal Description (attach the full legal description on 8 1/2 x 11 separate sheet of paper-type written, plus an electronic version of the legal description).

Subdivision Name: Broadway Third Addition

Property Tax ID #: 33-25-405-008

b. Street Address or Common Location: 702 N. Otter Creek, Streator, IL

c. Describe Reason for request: Build residential garage and demolish residence

d. Describe the proposed use; characteristics such as operating hours, number of employees, capacity of facility, etc.: Storage of vehicles

e. Size of Lot (sq.ft.): 9980.8275

f. Existing Zoning District: R1B

g.  Yes  No Is the property located in a flood plain or flood way?

h.  Yes  No Is the proposed use in conformance with the city's Comprehensive Plan?

i. How will the proposed use impact existing and future land uses. Positive due to demolition of existing house

PAID  
OCT 03 2005  
CITY OF STREATOR  
ME  
EXHIBIT  
A

j. How will proposed use impact adjacent property values. Positive

l.  Yes  No Will the property negatively impact the general public health, safety and welfare.  
If yes, please explain: \_\_\_\_\_

m.  Yes  No Will the change conflict with existing conditions or public improvements such as schools, sewer/water system, parks, roads, traffic patterns, etc.  
If yes, please explain: \_\_\_\_\_

3. The petitioner(s) have read and completed all of the above information and affirm that it is true and correct.

Petitioner's Signature: Scott Pedelty Date: 01/10/2018  
Petitioner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn to before me this 10<sup>th</sup> day of January, 2018



Kimberly Broyles  
Notary Public

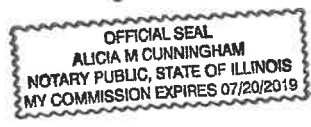
4. I hereby affirm that I am the legal owner (or authorized agent or representative- proof attached) of the subject property and authorize the petitioner to pursue this petition as described above.

Owner's Signature: Cy M Date: 1-22-18  
Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn to before me this 20<sup>th</sup> day of January, 2018

(Seal)

Alicia M. Cunningham  
Notary Public





WARRANTY DEED

For Recor



2010-16957

THOMAS E. LYONS  
LASALLE COUNTY RECORDER

OTTAWA, IL  
RECORDED ON

08/18/2010 10:08AM

REC FEE: 36.50  
RHSP FEE: 10.00  
REVENUE FEE: 15.00  
PAGES: 2

THE GRANTOR, RICHARD LEE MORGAN, a married person, of the City of Streator, County of LaSalle, and State of Illinois, for and in consideration of the sum of Ten (\$10) Dollars and other good and valuable consideration in hand paid,

CONVEYS and WARRANTS to CRAIG S. MORGAN, of the City of Streator, County of LaSalle, and State of Illinois, not as tenants in common, but in Joint Tenancy, the following described real estate, to-wit:

Lot 8 in Block 1 in Broadway Third Addition to Streator, situated in the City of Streator, excepting underlying coal and other minerals and the right to mine and remove the same, situated in LaSalle County, Illinois.

Commonly known as 702 N. Otter Creek Street, Streator, Illinois.

*Parcel #*

33-25-405-008

Subject to general taxes for the year 1997 and subsequent years. Subject to all covenants, easements and restrictions of record.

The undersigned Grantor does hereby certify that no part of the above described real estate constitutes homestead property of the Grantor or his spouse.

situated in the County of LaSalle, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

Dated this 13 day of April, 1998.

*Richard Lee Morgan*  
RICHARD LEE MORGAN

DOCUMENT PROVIDED BY LASALLE COUNTY RECORDER OFFICE

STATE TAX



STATE OF ILLINOIS

AUG. 18. 10

LA SALLE COUNTY

PG  
# 0000006126

REAL ESTATE TRANSFER TAX
0001500
FP326676

EXHIBIT B

# City of Streator



204 South Bloomington Street • Streator, Illinois 61364 • Phone (815) 672-2517 • Fax (815) 672-7566

October 25, 2018

RE: Public Hearing Notice – Special Use Permit – 702 N. Otter Creek Road  
Lot 8 in Block of the Broadway 3<sup>rd</sup> Addition to the City of Streator. Commonly known as 702 N.  
Otter Creek Road.

Dear Property Owner:

City Staff has identified that property you own is within 250 feet of the above mentioned property. This letter serves as notification that a public hearing will be held at 6:00 p.m. on November 13, 2018 in the City Council Chambers of City Hall, 204 South Bloomington Street, Streator on the petition by Scott Pedelty, property owner, petitioning for a “Special Use” permit under Chapter 17, 17.16.010 to allow the demolition of an existing residential house and the construction of a new residential garage only for property legally described as follows:

Lot 8 in Block of the Broadway 3<sup>rd</sup> Addition to the City of Streator. Commonly known as 702 N.  
Otter Creek Road.  
(Tax ID 33-25-405-008)  
See map attached.

The above referenced application is open to inspection at the offices of the City Clerk, City of Streator, 204 S. Bloomington Street, Streator, IL 61364. Persons wishing to appear at the public hearing may do so in person, by attorney, or by other representative.

If you cannot be present but wish to make comment, you may also submit your comments in advance by addressing them to the Plan Commission c/o of the City of Streator, 204 S. Bloomington St. Streator, IL 61364.

Cordially,

Jeremy Palm  
Dir. of Community Development

**EXHIBIT  
D**



LITTLE MAIN

MORRELL ST.

OTTER CREEK RD.

OTTER CREEK RD.



PAINTER ST

LA RUE ST.

MORRELL ST.

INDIANA ST.

702

EXHIBIT

EE

