

**OGLESBY ZONING BOARD OF APPEALS**  
**THURSDAY, JUNE 20, 2024**

The Oglesby Zoning Board of Appeals meeting was called to order at 6:38 p.m. on Thursday, June 20, 2024, by Chairman Dan Fitzgerald.

**ROLL CALL**

**PRESENT:** Wally Marquardt, Dan Fitzgerald, Mike Kutz, Attorney Pat Barry and Zoning Administrator Becky Clinard.

**ABSENT:** Burton Lavens, Brandy Day

Chairman Fitzgerald told the board that the notice requirements had been fulfilled and presented the request for the variance from the stormwater detention regulations for their property on East Walnut Street. A letter from the Augustyniak's engineer, Eric Carls, was submitted in his absence. (Attached). It was noted that the variance for the parking requirements was not necessary after city engineer Jim Clinard reviewed the plans. The request was withdrawn.

Alysia Augustyniak spoke for the petitioners, saying that they were requesting the variance for multiple reasons.

- The land is too flat to drain properly and therefore, the size of the detention pond would be "sizable"
- The site has an existing storm sewer nearby on Walnut St.
- The detention pond would likely create pest problems and be an eyesore in the residential district
- The Augustyniak's had tried to create a site plan that fits in "as seamlessly as possible" – a detention pond would detract from that.
- They have prepared an alternate drainage plan that they feel better addressed the issue.

It was also noted by city engineer Jim Clinard, that the storm water ordinance addresses sites of 1-acre or more and while the plat of ground is approximately 8 acres, the Augustyniaks are improving less than one acre. He also noted that the impervious area the Augustyniak's plan showed, was just over the 50% that required a stormwater detention pond. Clinard also pointed out that if they Augustyniak's were building a home, they would not be required to meet those requirements.

Shaun Gramer, a neighbor, at 543 & 544 Korter Street, voiced his concerns about the variance, noting that there was a reason there was a stormwater detention ordinance and he felt it should be followed. Gramer worried that the existing water problem would be exacerbated with the new build. John Zulkowsky, who owns the property adjacent to the site, also expressed his fears that the problem would be made worse.

Clinard showed the committee the proposed plan, which would include grading to direct the water to two inlets, which would then empty into the existing storm sewers on Walnut Street. What water wouldn't be collected by the inlets would be directed to the driveway, where it would run north into the storm sewers on Walnut Street. Clinard told both Gramer and Zulkowsky that the plan was not required

to address pre-existing problems, but that it was possible that the problems may be lessened somewhat. Augustyniak promised to work with her neighbors if any concerns were raised.

The board discussed the plan at length, finally agreeing to add language to the recommendation that would require that if conditions did worsen, or changes were made to the site in the future, that the Augustyniaks would work with the neighbors and the City to address any potential problems. (See attached summary by Attorney Pat Barry).

**A MOTION WAS MADE BY** Mike Kutz, **SECONDED BY** Wally Marquardt, to grant the variance with the stipulations outlined in the attached summary. **AYES:** Kutz, Marquardt, Fitzgerald. **MOTION CARRIED**

**A MOTION WAS MADE BY** Marquardt, **SECONDED BY** Kutz to adjourned at 6:38 p.m. **AYES:** Kutz, Marquardt, Fitzgerald. **MOTION CARRIED**