

CITY OF OGLESBY

**ORDINANCE NO 1260-070124**

**AN ORDINANCE GRANTING A REQUEST FOR VARIANCE  
FILED BY NICHOLAS AND ALYSIA AUGUSTYNIAK SO AS TO WAIVE THE  
REQUIREMENT OF STORM WATER DETENTION FACILITIES FOR THE  
CURRENT, PLANNED DEVELOPMENT OF THE PROPERTY LOCATED ON  
EAST WALNUT STREET IN THE CITY OF OGLESBY**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF OGLESBY  
THIS 1<sup>ST</sup> DAY OF JULY, 2024.**

Published in pamphlet form by authority of the City Council of the City of Oglesby,  
LaSalle County, Illinois, this 2<sup>nd</sup> day of July, 2024.

STATE OF ILLINOIS                    )  
  )    SS  
COUNTY OF LASALLE                )

I, REBECCA CLINARD, certify that I am the City Clerk of the City of Oglesby,  
LaSalle County, Illinois.

I further certify that on the 1st day of July, 2024, the corporate authorities of the  
above municipality passed and approved Ordinance No. 1260-070124 entitled "An  
Ordinance granting a request for variance filed by Nicholas and Alysia Augustyniak so as  
to waive the requirement of Storm Water Detention Facilities for the current, planned  
development of the property located on East Walnut Street In the City of Oglesby " which  
provided by its terms that it should that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1260-070124, including the Ordinance and  
Coversheet thereof, was prepared and a copy of such Ordinance was posted in the  
municipal building, commencing on the 2nd day of July, 2024, and continuing for at least  
ten days thereafter. Copies of the Ordinance were also available for public inspection  
upon request in the office of the City Clerk.

Dated in Oglesby, Illinois, this 2nd day of July, 2024.



  
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**REBECCA CLINARD**, City Clerk

**ORDINANCE NO. 1260-070124**

**AN ORDINANCE GRANTING A REQUEST FOR VARIANCE  
FILED BY NICHOLAS AND ALYSIA AUGUSTYNIAK SO AS TO WAIVE  
THE REQUIREMENT OF STORM WATER DETENTION FACILITIES FOR  
THE CURRENT, PLANNED DEVELOPMENT OF THE PROPERTY  
LOCATED ON EAST WALNUT STREET IN THE CITY OF OGLESBY.**

**WHEREAS**, the City of Oglesby received a request for variances from **NICHOLAS** and **ALYSIA AUGUSTYNIAK** for property described herein being located on East Walnut Street in the City of Oglesby, LaSalle County Illinois; and

**WHEREAS**, the Oglesby City Council referred this matter to the Oglesby Zoning Board of Appeals for consideration; and

**WHEREAS**, prior to the hearing before the Oglesby Zoning Board of Appeals, it was determined that one of the variances requested by the property owners for the waiver of the parking requirements required by section 14.05.020 (A) of the City's Land Development Code could be avoided by installing parallel parking on the West edge of the planned parking lot; and

**WHEREAS**, the Oglesby Zoning Board of Appeals conducted a public hearing on June 20, 2024, after due notice as provided in the Illinois Municipal Code and the Oglesby Land Development; and

**WHEREAS**, at the conclusion of said hearing the Oglesby Zoning Board of Appeals recommended to the Oglesby City Council that it waive the requirement for the construction of Storm Detention Facilities as would be required by Section 14.09.140 (L) 1. (a) of the City's Land Development Code for the current, planned development for the site due to engineering guarantees that such facilities were unnecessary due to the grading and drainage plans for the development that would drain all surface water to the

North and into existing an existing storm sewer line on Walnut Street and not exacerbate excising surface water problems in the area, subject to the caveats contained herein; and

**WHEREAS**, Section 11-13-5 of the Illinois Municipal Code (65 ILCS 5/11-13-5) authorizes municipalities to grant variances from the strict application of municipal zoning ordinances; and

**WHEREAS**, the Oglesby City Council deems it to be in the best interest of the public health, safety and welfare of the residents of the City of Oglesby to adopt this Ordinance to formalize the remaining grant of variance request recommended by the Oglesby Zoning Board of Appeals,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF OGLESBY, LASALLE COUNTY, ILLINOIS, AS FOLLOWS:**

1. The recitals contained in the preamble to this Ordinance are incorporated by reference as if set out in full herein.

2. There is hereby granted a variance from section 14.09.140 (L) 1. (a) of the Oglesby Land Development Code so as to waive the requirement of storm water detention facilities (**subject to the caveats hereinafter stated**) for the current, planned development of the property located on East Walnut Street, in the City of Oglesby, LaSalle County, Illinois, which property is legally described as follows.

**Parcel 1:** Commencing at the Northwest corner of the East 10 acres of the West 20 acres of that part of the Northwest  $\frac{1}{4}$  of Section 31, Township 33 North, Range 2 East of the Third Principal Meridian, In LaSalle County, Illinois, running thence East 40 feet, thence South 272  $\frac{1}{4}$  feet, thence West 40 feet, thence North 272  $\frac{1}{4}$  feet to the point of beginning, containing  $\frac{1}{4}$  acre more or less, situated in Oglesby, LaSalle County, Illinois; and

**Parcel 2:** Part of the Northwest Quarter of Section 31, Township 33 North, Range 2 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of the Northwest Quarter of said Section 31, thence South 01 degrees 03 minutes 09 seconds West 526.13

feet (524.1 feet by deed) along the monumented East line of Cox & Keefe Subdivision to the Point of Beginning; thence South 88 degrees 56 minutes 51 seconds East 217.10 feet along the monumented South line of adjacent property in Document Number 2015-11064; thence North 01 degrees 03 minutes 09 seconds East 101.21 feet (100 feet by deed) along the monumented East line of said adjacent property to the Southeast corner of adjacent property in Document Number R97-12194; thence continuing North 01 degrees 03 minutes 09 seconds East 153.74 feet along said East line of adjacent property; thence South 89 degrees 13 minutes 51 seconds East 40.00 feet; thence North 01 degrees 03 minutes 09 seconds East 272.25 feet to the North line of said Northwest Quarter; thence South 89 degrees 13 minutes 51 seconds East 177.83 feet along said North line to the Northerly Extension of the monumented West line of adjacent property in Document Number 2018-14400; thence South 00 degrees 56 minutes 23 seconds West 292.50 feet; thence continuing South 00 degrees 56 minutes 23 seconds West 766.80 feet along said monumented West line of adjacent property to the Easterly Extension of the North line of Lot 12 in Cox & Keefe Subdivision; thence North 89 degrees 13 minutes 51 seconds West 437.02 feet along said Easterly Extension of the North line of Lot 12 in Cox & Keefe Subdivision to the monumented East line of Cox & Keefe Subdivision; thence North 01 degrees 03 minutes 09 seconds East 533.18 feet along said monumented East line to the Point of Beginning, said Parcel containing 7.727 acres total of which 0.135 acres is in existing apparent Right-of-Way of Walnut Street, all situated in the City of Ogelsby, County of LaSalle, and State of Illinois.

P.I.N. Numbers: 18-31-100-013, 18-31-106-000 & 18-31-121-000 (part of)

3. Such variance is approved with the following two caveats:

- A. If the impervious area of the Petitioners' property would be increased in the future due to additional development of the site, the Petitioners or their successors in title, must address any potential increased water problems in the area to the satisfaction of the City which could potentially be caused by such additional development; and
- B. If as a result of the planned, current development as allowed by the variance granted herein, the water problems in the area get worse, contrary to the engineers' beliefs, Petitioners shall follow through on their pledge at the variance hearing to work with neighbors to eliminate the worsened water conditions to the satisfaction of the City.

4. This Ordinance will be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

PRESENTED, PASSED AND ADOPTED at a regular meeting of the City Council  
of the City of Oglesby, LaSalle County, Illinois, this 1st day of July, 2024.

**DONALD FINLEY**

AYE;  NAY;  ABSENT;  PASS

**GREGORY MCDERMOTT**

AYE;  NAY;  ABSENT;  PASS

**ANTONIO STEFANELLI**

AYE;  NAY;  ABSENT;  PASS

**RICHARD BALDRIDGE**


AYE;  NAY;  ABSENT;  PASS

**JASON CURRAN**

AYE;  NAY;  ABSENT;  PASS

  
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**JASON CURRAN**, Mayor

ATTEST:

  
\_\_\_\_\_  
**REBECCA CLINARD**, City Clerk