

LaSalle County Zoning Board of Appeals

AGENDA

January 18, 2023 Government Complex

5:00 p.m. Room 250

The meeting will be live streamed on LaSalle County's YouTube Channel:

<https://www.youtube.com/channel/UCjwHFloW13M224SgVU95lfg>

A link is also available at www.lasallecounty.org on the main page.

Any person wishing to have a written comment read at the meeting, or introduce evidence at the hearing, shall submit such statement/evidence prior to 3:00 p.m., on January 18, 2023 by mailing to LaSalle County Land Use Department, 119 W. Madison Street, Rm 107, Ottawa, IL 61350 or emailing it to landuse@lasallecountyil.gov. Each statement/comment will be limited to 5 minutes. Zoning Board of Appeals rules of procedure are available to review at <https://lasallecountyil.gov/528/Zoning-Board-of-Appeals>

- I. Call to Order
- II. Approve or Dispense of Previous Meeting Minutes
- III. Open Meeting
 - A. **23-01 SU Danielson/Liberg (Special Use: Lot Less than 35 Acres in A1 District)**
(2769 N 32nd,Marseilles) Miller Township (16-22-400-000)
 - B. **23-01 VAR Aaron Sester (Variance: Reduce north side setback from 20' to 6')**
(3936 E 550th Rd, Mendota) Troy Grove Township (06-13-432-000)
 - C. **23-02 SU LaSalle Solar 1 LLC (Special Use: Solar Farm)**
(N 16th Rd) Allen Township (35-15-203-000)
- IV. Public Voice (time limit of 3 minutes per speaker, with maximum of 30 minutes for all comments)
- V. Recess/Adjourn Meeting

January 18, 2023, ZBA MINUTES

The LaSalle County Zoning Board of Appeals met on January 18, 2023, at the LaSalle County Governmental Center. Chairperson Sandi Billard called the meeting to order at 5:00 PM

Members present at the LaSalle County Governmental Complex were: Monty Whipple, Jim Maierhofer, Larry Louis, Tim Aussem, and Gary Blankenship Alternate 1.

Members absent: Fred Seville, Deb Lane, and Larry Langston Alt 2.

Motion by ZBA member Jim Maierhofer, 2nd by Larry Louis to approve the minutes of the December 21, 2022 meeting.

Aye = All Nay = None Abstain = None

Petition 23-01 SU: Danielson/Liberg

PIN: 16-22-400-000

Purpose: Lot Less than 35 Acres in A1 District

Motion by Maierhofer, 2nd by Blankenship to recommend to the County Board for the petition to be approved.

Aye = All Nay = None Abstain = None

Motion passed

(see Findings of Fact A-1)

Petition 23-01 VAR: Aaron Sester

PIN: 06-13-432-000

Purpose: Reduce north side setback from 20' to 2'

Motion by Whipple, 2nd by Louis to recommend to the County Board for the petition to be amended with conditions.

1. The variance shall be for the life of the installation and shall not be valid for replacement of the solar panel support system.

Aye =All Nay = None Abstain = None

Motion by Whipple, 2nd by Blankenship to recommend to the County Board for the petition to be approved with conditions.

Aye =All Nay = None Abstain = None

Motion passed to recommend to the County Board that the petition be approved with conditions.

(see Findings of Fact A-2)

Petition 23-02 SU: LaSalle Solar 1 LLC

PIN: 35-15-203-000

Purpose: Solar Farm

Motion by Louis, 2nd by Blankenship to recommend to the County Board for the petition to be amended with conditions.

1. The solar farm owner/operator shall provide sufficient security for decommissioning of the facility. The decommissioning cost shall be approved by the County, considering the engineer's estimate.
2. That all required studies, reports, consultations, certifications, agreements, and approvals will be provided by the applicant in order to demonstrate compliance with provisions of the LaSalle County Zoning Ordinance prior to the commencement of construction.
3. Installation of all solar farm components shall follow the 2003 National Electric Code (or newer edition).
4. If battery storage is to be added to the project; the petitioner shall petition to amend the special use to include any proposed battery storage.
5. The type of fencing will be determined by the applicant as long as it is in compliance with LaSalle County Ordinances.

Aye =All Nay = None Abstain = None

Motion by Blankenship, 2nd by Whipple to recommend to the County Board for the petition to be approved with conditions.

Aye = All Nay = None Abstain = None

Motion passed to recommend to the County Board that the petition be approved with conditions.
(see Findings of Fact A-3)

Public Voice: None

Motion by Tim Aussem; 2nd by Monty Whipple to adjourn at 6:31 PM.

Aye = All Nay = None Abstain = None

In Attendance: *Sign In Sheet available for review*

Minutes by: Lauren Grumieaux

FINDINGS OF FACT (A-1)

				Meeting Date:	1/18/2023
Petition #	23-01 SU	Pin #	16-22-400-000	Township	Miller
Owner/Applicant	Danielson/Liberg				
Purpose:	Lot less than 35 acres			Pursuant to Section:	7.1-4B

Sec. 14.10-5 Standards for Special Uses

A.) That the granting of any Special Use is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County's Comprehensive Plan for development; and specifically, that the granting of the Special Use will not:

	Seville	Whipple	Maierhofer	Lane	Louis	Aussem	Blankenship, Alt 1	Langston, Alt 2	Billard, Chair
1. Will Not: Impair an adequate supply of light and air to adjacent property		Y	Y		Y	Y	Y		
2. Will Not: Increase the hazard from fire or other dangers to said property		Y	Y		Y	Y	Y		
3. Will Not: Diminish the value of land and buildings in the vicinity of the proposed Special Use		Y	Y		Y	Y	Y		
4. Will Not: Unduly increase traffic congestion in the public streets and highways		Y	Y		Y	Y	Y		
5. Will Not: Increase the potential for flood damages to adjacent property		Y	Y		Y	Y	Y		
6. Will Not: Incur additional public expense for fire protection, rescue or relief		Y	Y		Y	Y	Y		
7. Will Not: Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of LaSalle County nor will it otherwise create a nuisance		Y	Y		Y	Y	Y		

Motion by Maierhofer to approve, 2nd by Blankenship to recommend to the County Board that the petition be approved.

Motion Passed

	Y	Y		Y	Y	Y			

FINDINGS OF FACT (A-2)

Meeting Date: **1/18/2023**

Petition #	23-01 VAR	Pin #	06-13-432-000	Township	Troy Grove
Owner/Applicant	Aaron Sester				
Purpose:	Reduction in 20' north side setback for solar			Pursuant to Section:	14.8

Sec. 14.8-3 (B)(C) Standards for Variations

“(B) That the granting of any Variance is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County’s Comprehensive Plan for development” -and-

“(C) That the granting of the Variance will not:”

	Seville	Whipple	Maierhofer	Lane	Louis	Aussem	Blankenship, Alt 1	Langston, Alt 2	Billard, Chair
1. Will Not: Impair an adequate supply of light and air to adjacent property		Y	Y		Y	Y	Y		
2. Will Not: Increase the hazard from fire or other dangers to said property		Y	Y		Y	Y	Y		
3. Will Not: Diminish the value of land and buildings in the vicinity of the proposed Variance		Y	Y		Y	Y	Y		
4. Will Not: Unduly increase traffic congestion in the public streets and highways		Y	Y		Y	Y	Y		
5. Will Not: Increase the potential for flood damages to adjacent property		Y	Y		Y	Y	Y		
6. Will Not: Incur additional public expense for fire protection, rescue or relief		Y	Y		Y	Y	Y		
7. Will Not: Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of LaSalle County nor will it otherwise create a nuisance		Y	Y		Y	Y	Y		

Motion by Whipple to amend with conditions, 2nd by Louis.

	Y	Y			Y	Y	Y		
	Y	Y			Y	Y	Y		

Motion by Whipple and seconded by Blankenship to recommend to the County Board that the petition be approved with conditions.

- The variance shall be for the life of the installation and shall not be valid for replacement of the solar panel support system.

Motion Passed

FINDINGS OF FACT (A-3)

				Meeting Date:	1/18/2023
Petition #	23-02 SU	Pin #	35-15-203-000	Township	Allen
Owner/Applicant	Ryan/ LaSalle Solar 1 LLC				
Purpose:	Solar Farm (2MW)			Pursuant to Section:	7.1-4NN

Sec. 14.10-5 Standards for Special Uses

A.)*That the granting of any Special Use is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the County’s Comprehensive Plan for development; and specifically, that the granting of the Special Use will not:*

	Seville	Whipple	Maierhofer	Lane	Louis	Aussem	Blankenship, Alt 1	Langston, Alt 2	Billard, Chair
1. Will Not: Impair an adequate supply of light and air to adjacent property		Y	Y		Y	Y	Y		
2. Will Not: Increase the hazard from fire or other dangers to said property		Y	Y		Y	Y	Y		
3. Will Not: Diminish the value of land and buildings in the vicinity of the proposed Special Use		Y	N		Y	Y	Y		
4. Will Not: Unduly increase traffic congestion in the public streets and highways		Y	Y		Y	Y	Y		
5. Will Not: Increase the potential for flood damages to adjacent property		Y	N		Y	Y	Y		
6. Will Not: Incur additional public expense for fire protection, rescue or relief		Y	N		Y	Y	N		
7. Will Not: Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of LaSalle County nor will it otherwise create a nuisance		Y	N		Y	Y	Y		

Motion by Louis, 2nd by Blankenship to amend with conditions.

	Y	Y			Y	Y	Y		
	Y	Y			Y	Y	Y		

Motion by Blankenship, 2nd by Whipple to recommend to the County Board for the petition to be approved with conditions.

1. The solar farm owner/operator shall provide sufficient security for decommissioning of the facility. The decommissioning cost shall be approved by the County, considering the engineer’s estimate.
2. That all required studies, reports, consultations, certifications, agreements, and approvals will be provided by the applicant in order to demonstrate compliance with provisions of the LaSalle County Zoning Ordinance prior to the commencement of construction.
3. Installation of all solar farm components shall follow the 2003 National Electric Code (or newer edition).
4. If battery storage is to be added to the project; the petitioner shall petition to amend the special use to include any proposed battery storage.
5. The type of fencing will be determined by the applicant as long as it is in compliance with LaSalle County Ordinances.

Motion Passed

LESA: LE 77, SE 140, Total 217