

LaSalle County Zoning Board of Appeals

AGENDA

March 15, 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/UCjwHFloW13M224SgVU95Ifg>

A link is also available at www.lasallecountyil.gov 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 at least 24 hours prior to the hearing 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. **23-04 SU Kavanaugh/IL Solar 9000 LLC (Special Use: Solar Farm) (Recessed from 2/15/2023)**
(N 21st Rd) Brookfield Township (29-14-303-000)
 - B. **23-06 SU Bumpus Boating LLC (Special Use: Campground)**
(1130 N 27th Rd) Utica Township (19-24-107-000)
 - C. **23-07 SU Justin Newell (Special Use: Mini Storage Expansion)**
(1086 E US RT 6) Utica Township (19-02-402-000)
 - D. **23-07 SU Northern White Sand LLC (Special Use: Amend Special Use to add additional loadout facilities)** (1168 E US RT 6) Utica Township (19-12-201-000)
 - E. **Text Amendments: 14.8-5, 14.8-6, 14.9-4, 14.10-7, and 14.10-8** (Proposed amendments include procedural changes for transfer of petitions between the ZBA and the County Board)
- IV. Public Voice (time limit of 3 minutes per speaker, with maximum of 30 minutes for all comments)
- V. Recess/Adjourn Meeting

March 15, 2023, ZBA MINUTES

The LaSalle County Zoning Board of Appeals met on March 15, 2023, at the LaSalle County Governmental Center. Chairperson Sandi Billard called the meeting to order at 5:01 PM

Members present at the LaSalle County Governmental Complex were: Fred Seville, Monty Whipple, Jim Maierhofer, Deb Lane, Larry Louis, Tim Aussem, Gary Blankenship Alternate 1 and Larry Langston Alternate 2.

Members absent: None

Motion by ZBA member Deb Lane, 2nd by Larry Louis to approve the minutes of the February 15, 2023 meeting.

Aye = All Nay = None Abstain = None

Motion by ZBA member Gary Blankenship, 2nd by Fred Seville to approve the minutes of the March 7, 2023 meeting.

Aye = All Nay = None Abstain = None

Motion by ZBA member Monty Whipple, 2nd by Jim Maierhofer, to open the recessed hearing from 2/15/2023.

Aye = All Nay = None Abstain = None

Petition 23-04 SU: Kavanaugh/IL Solar 9000 LLC

PIN: 29-14-303-000

Purpose: Solar Farm

Motion by Tim Aussem, 2nd by Larry Louis to recommend to amend with conditions.

Aye = Seville, Whipple, Lane, Louis, and Aussem Nay = Jim Maierhofer Abstain = None

Motion by Monty Whipple, 2nd by Larry Louis 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. *Proof of completion of all required studies, reports, consultations, certifications, agreements, and approvals shall be provided by the applicant in order to demonstrate compliance with provisions of the LaSalle County Zoning Ordinance prior to issuance of the building permit.*
3. *The owner shall adhere to all IDNR recommendations included in the EcoCat Review and all LaSalle County Soil and Water Conservation District recommendations.*
4. *Installation of all solar farm components shall follow the 2003 National Electric Code (or newer edition).*
5. *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.*

Aye = Seville, Whipple, Lane, Louis, and Aussem Nay = Jim Maierhofer Abstain = None

Motion passed to recommend to the County Board that the petition be approved with conditions.
(see Findings of Fact A-1)

Petition 23-06 SU: Bumpus Boating LLC
PIN: 19-24-107-000
Purpose: Campground

Motion by Fred Seville, 2nd by Jim Maierhofer to recess hearing on this petition to April 19th at 5 pm.

Aye = All Nay = None Abstain = None

Motion passed
(see Findings of Fact A-2)

Petition 23-07 SU: Justin Newell
PIN: 19-02-402-000
Purpose: Mini Storage Expansion

Motion by Jim Maierhofer, 2nd by Monty Whipple 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-3)

Petition 23-08 SU: Northern White Sands LLC
PIN: 19-12-201-000
Purpose: Amend Special Use to add additional loadout facilities

Motion by Deb Lane, 2nd by Fred Seville to recommend to amend with conditions:

1. *Northern White Sand LLC shall follow up on the issues presented by residents at the hearing and that all reasonable measures shall be taken to resolve them.*

Aye =All Nay = None Abstain = None

Motion by Deb Lane, 2nd by Tim Aussem 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-4)

Text Amendments to the LaSalle County Zoning Ordinance amending the following ordinance sections:

14.8-5, 14.8-6, 14.9-4,14.10-7, and 14.10-8

(Proposed amendments include procedural changes for transfer of petitions between the ZBA and the County Board.)

After review of the proposed amendments the following motion was made:

Motion by Jim Maierhofer and seconded by Deb Lane to forward and recommend to the County Board that the amendments be approved.

Aye = All Nay = None Abstain = None

Motion passed to recommend to the County Board that the petition be approved.
(see Findings of Fact A-5)

Public Voice: None

Motion by Tim Aussem; 2nd by Fred Seville to adjourn at 8:07 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:	3/15/2023
Petition #	23-04 SU	Pin #	29-14-303-000	Township	Brookfield
Owner/Applicant	Kavanaugh/IL Solar 9000 LLC				
Purpose:	Wind Farm	Pursuant to Section:	7.1-4 NN		

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	Maerhofer	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	Y			
2. Will Not: Increase the hazard from fire or other dangers to said property	Y	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	Y			
4. Will Not: Unduly increase traffic congestion in the public streets and highways	Y	Y	Y	Y	Y	Y			
5. Will Not: Increase the potential for flood damages to adjacent property	Y	Y	Y	Y	Y	Y			
6. Will Not: Incur additional public expense for fire protection, rescue or relief	Y	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	Y			

Motion by Aussem, 2nd by Louis to amend with conditions:

- 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.
- Proof of completion of all required studies, reports, consultations, certifications, agreements, and approvals shall be provided by the applicant in order to demonstrate compliance with provisions of the LaSalle County Zoning Ordinance prior to issuance of the building permit.
- The owner shall adhere to all IDNR recommendations included in the EcoCat Review and all LaSalle County Soil and Water Conservation District recommendations.
- Installation of all solar farm components shall follow the 2003 National Electric Code (or newer edition).
- 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.

Y	Y	N	Y	Y	Y				

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

Y	Y	N	Y	Y	Y				

Motion Passed with Conditions

FINDINGS OF FACT (A-2)

				Meeting Date:	3/15/2023
Petition #	23-06 SU	Pin #	19-02-402-000	Township	Utica
Owner/Applicant	Bumpus Boating LLC				
Purpose:	Campground	Pursuant to Section:		7.1-4 E	

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									
2. Will Not: Increase the hazard from fire or other dangers to said property									
3. Will Not: Diminish the value of land and buildings in the vicinity of the proposed Special Use									
4. Will Not: Unduly increase traffic congestion in the public streets and highways									
5. Will Not: Increase the potential for flood damages to adjacent property									
6. Will Not: Incur additional public expense for fire protection, rescue or relief									
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									

Motion by Seville, 2nd by Maierhofer to recess to April 19th at 5 pm.

Y	Y	Y	Y	Y	Y	Y		
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Motion Passed

FINDINGS OF FACT (A-3)

				Meeting Date:	3/15/2023
Petition #	23-07 SU	Pin #	19-02-402-000	Township	Utica
Owner/Applicant	Justin Newell				
Purpose:	Mini Storage	Pursuant to Section:		7.1-4 W	

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	Y			
2. Will Not: Increase the hazard from fire or other dangers to said property	Y	Y	Y	N	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	Y			
4. Will Not: Unduly increase traffic congestion in the public streets and highways	Y	Y	Y	Y	Y	Y			
5. Will Not: Increase the potential for flood damages to adjacent property	Y	Y	Y	Y	Y	Y			
6. Will Not: Incur additional public expense for fire protection, rescue or relief	Y	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	Y			

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

Y	Y	Y	Y	Y	Y				

Motion Passed

FINDINGS OF FACT (A-4)

				Meeting Date:	3/15/2023
Petition #	23-08 SU	Pin #	19-12-201-000	Township	Utica
Owner/Applicant	Northern White Sand LLC				
Purpose:	Amend to add additional loadout facilities	Pursuant to Section:	7.1-4 V		

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	N	Y	Y	Y			
2. Will Not: Increase the hazard from fire or other dangers to said property	Y	Y	Y	Y	Y	Y			
3. Will Not: Diminish the value of land and buildings in the vicinity of the proposed Special Use	N	Y	Y	Y	N	Y			
4. Will Not: Unduly increase traffic congestion in the public streets and highways	Y	Y	Y	Y	Y	Y			
5. Will Not: Increase the potential for flood damages to adjacent property	Y	Y	Y	Y	Y	Y			
6. Will Not: Incur additional public expense for fire protection, rescue or relief	Y	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	N	Y	Y	Y	Y	Y			

Motion by Lane, 2nd by Seville to amend with conditions:

- Northern White Sand LLC shall follow up on the issues presented by residents at the hearing and that all reasonable measures shall be taken to resolve them.*

Y	Y	Y	Y	Y	Y				

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

Y	Y	Y	Y	Y	Y				

Motion Passed with conditions

FINDINGS OF FACT (A-5)

Meeting Date: **03/15/2023**

Purpose:	14.8-5, 14.8-6, 19.9-4, 14.10-7 and 14.10-8	Pursuant to Section:	14.9
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Seville	Whipple	Maierhofer	Lane	Louis	Aussem	Blankenship, Alt 1	Langston, Alt 2	Billard, Chair
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	Y	Y	Y	Y	Y	Y		

Motion by Maierhofer and seconded by Lane to recommend to the County Board that the Text Amendments be approved.

Motion passed.