

CITY OF OGLESBY

ORDINANCE NO 1247-041524

**AN ORDINANCE GRANTING REQUESTS FOR VARIANCE
FILED BY KNBZ LLC/WESBECKER PROPERTIES SO AS TO ALLOW FOR
THE CONSTRUCTION OF A COFFEE TRAILER BUSINESS ON THE
SOUTHEAST CORNER OF WALNUT STREET AND COLUMBIA AVENUE IN
THE CITY OF OGLESBY**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF OGLESBY
THIS 15TH DAY OF APRIL, 2024.**

Published in pamphlet form by authority of the City Council of the City of Oglesby,
LaSalle County, Illinois, this 16th day of April, 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 15th day of April, 2024, the corporate authorities of
the above municipality passed and approved Ordinance No. 1247-041524 entitled
“AN ORDINANCE GRANTING REQUESTS FOR VARIANCE FILED BY KNBZ
LLC/WESBECKER PROPERTIES SO AS TO ALLOW FOR THE
CONSTRUCTION OF A COFFEE TRAILER BUSINESS ON THE SOUTHEAST
CORNER OF WALNUT STREET AND COLUMBIA AVENUE 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. 1247-041524, including the Ordinance and
Coversheet thereof, was prepared and a copy of such Ordinance was posted in the
municipal building, commencing on the 16th day of April, 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 16th day of April, 2024.

REBECCA CLINARD, City Clerk

(SEAL)

ORDINANCE NO. 1247-041524

**AN ORDINANCE GRANTING REQUESTS FOR VARIANCE
FILED BY KNBZ LLC/WESBECKER PROPERTIES SO AS TO
ALLOW FOR THE CONSTRUCTION OF A COFFEE TRAILER
BUSINESS ON THE SOUTHEAST CORNER OF WALNUT STREET
AND COLUMBIA AVENUE IN THE CITY OF OGLESBY**

WHEREAS, the City of Oglesby received a request for variances from **KNBZ LLC/WESBECKER PROPERTIES** for property located at 459 West 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 owner for the waiver of a fence requirement was not required due to the neighboring property being a commercial property and not a residential property, thus eliminating the fencing requirement otherwise required by section 14.06.120 of the City's Land Development Code; and

WHEREAS, the Oglesby Zoning Board of Appeals conducted a public hearing on February 12, 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 the remaining 3 requested variances be granted by the City, as set forth herein; and

WHEREAS, at its regularly scheduled meeting held on February 20, 2024, the City

Council of the City of Oglesby, LaSalle County, Illinois, approved the remaining three variance requests, as set forth herein, allowing for the placement and development of the property for the intended coffee trailer business; 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 grant of variance requests recommended by the Oglesby Zoning Board of Appeals and previously approved by the Oglesby City Council on February 20, 2024,

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 the following three variances for the property located at 459 West Walnut Street, in the City of Oglesby, LaSalle County, Illinois, which property is legally described as follows.

That part of Lot 10 in Gascoyne's Subdivision of the West 20 acres of the North Half of the Northwest Quarter of Section 36, Township 33 North, Range 1, East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Lot 10, running thence South along the West line of said Lot 10 for a distance of 121.4 feet; thence East on a line parallel with the North line of said Lot 10, to the East line of said Lot 10; thence North along the East line of said Lot 10 for a distance of 121.4 feet to the North line of said Lot 10; thence West along the North line of said Lot 10 to the point of beginning; said tract of land situated in the City of Oglesby; situated in the County of LaSalle in the State of Illinois; Excepting therefrom the described parcel of land:

That part of Lot 10 of Gascoyne's Subdivision in the City of Oglesby, the plat of said Addition as recorded in Plat Book D at Page 19 in the LaSalle County Recorder's Office, located in the Northwest Quarter of Section 36, Township 33 North, Range 1 East of the Third Principal Meridian, with bearings referenced to the Illinois State Plane Coordinate System East Zone (NAD 83), LaSalle County, Illinois, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of Section 36; thence South 0 degrees 16 minutes 20 seconds West, 154.50 feet on the West line of said Northwest Quarter; thence South 89 degrees 45 minutes 19 seconds East, 33.00 feet to the East right of way line of Illinois Route 71/351; thence North 0 degrees 16 minutes 20 seconds East, 108.11 feet to the POINT OF BEGINNING; thence North 0 degrees 16 minutes 20 seconds East, 13.53 feet to the Northwest corner of said Lot 10; thence South 89 degrees 59 minutes 51 seconds East, 17.73 feet on the North line of said Lot 10; thence South 59 degrees 25 minutes 51 seconds West, 12.53 feet, thence South 44 degrees 21 minutes 50 seconds West, 10.01 feet to the West line of said Lot 10 and the POINT OF BEGINNING, containing 104 square feet, more or less, except therein mineral interest previously conveyed.

P.I.N. Number: 18-36-100-002

A. A variance from section 14.06.10, et seq., of the Oglesby Land Development Code so as to eliminate the requirement of tree planting on the property described above;

B. A variance from section 14.03.030 (A) (3) of the Oglesby Land Development Code so as to eliminate the requirement that the accessory structure in terms of area, extent and purpose be subordinate to the principal use or structure; and

C. A variance from section 14.09.140 (L) of the Oglesby Land Development Code so as to eliminate the requirement for the construction of storm sewer management facilities on the property described above.

3. 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 15th day of April, 2024.

TERRY M. EUTIS

 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

JASON CURRAN, Mayor

ATTEST:

REBECCA CLINARD, City Clerk