

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, NOVEMBER 19, 2015
6:00 P.M.
CITY COUNCIL CHAMBERS
LOVES PARK CITY HALL

1. VICE-CHAIRMAN NOVAK CALLED THE MEETING TO ORDER AT 6:00 P.M.

MEMBERS PRESENT: THOMAS FREESMEIER, CATHY NELSON, BRIAN KERN,
NICHOLAS BECKER, SHAWN NOVAK, LYNDI TOOILL

MEMBERS ABSENT: ALISE HOWLETT

OTHERS PRESENT: ZONING OFFICER – ANDREW QUINTANILLA
DEPUTY COMMUNITY DEVELOPMENT DIRECTOR –
STEVE THOMPSON
ATTORNEY PHIL A. NICOLSI
SECRETARY – SHEILA MILLS

OTHERS ABSENT: PLANNING OFFICER – NATE BRUCK

Chairman Novak announced that the next Community Development Committee meeting will be held Wednesday, December 2, 2015 at 6:00 p.m.

2. MINUTES

Mr. Kern moved to approve the minutes from the meeting held September 17, 2015.
Second by Mrs. Nelson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

4. COMMUNICATIONS

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

**A. 6200 DAYTONA DRIVE – SPECIAL USE PERMIT FOR A FITNESS CENTER IN THE
CR ZONING DISTRICT**

Nnanna Egubujiobi, 1823 N. Pontiac Drive, Janesville, WI 54546, was sworn in as Petitioner. Mr. Egubujiobi indicated he would like to relocate his fitness center to this location and is requesting a Special Use Permit.

Attorney Jim Rodriguez, 2601 Reid Farm Rd, Rockford, IL was sworn in on behalf of property owner Telegraph Road LLC. Mr. Rodriguez indicated his client's property is between the proposed property and E. Riverside Blvd. The property owner wanted it to go on record requesting that the condition regarding parking in adjacent lots remained in place.

Mr. Rodriguez added there were no objections to the use of the proposed property.

Mr. Becker moved to approve a Special Use Permit for a fitness center in the CR Zoning District for the property commonly known as 6200 Daytona Drive, with the following conditions:

1. The Special Use Permit shall expire with the discontinuance of the business or change in business ownership.
2. The Special Use Permit shall be revoked with verified complaints from adjacent businesses or property owners.
3. Customer parking shall only be permitted in the parking lot for this facility and parking directly in front of the building is not permitted.
4. Customer parking shall not be permitted in adjacent parking lots, or other private property.
5. The parking lot shall be striped according to the site plan within 30 days of the approval of the Special Use Permit unless weather prohibits.

Second by Mrs. Nelson. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

Items B and C were discussed together and voted on separately.

B. 4638 FENTON LANE – VARIANCE FOR A ZERO SIDE SETBACK IN THE R2 ZONING DISTRICT

Thomas Hougan, 6105 Valhalla Drive, Loves Park, IL was sworn in as Petitioner. Mr. Hougan indicated that he was requesting the Variance so the property could be replatted into two separate parcels to allow for refinancing.

Brandon Hougan, 4640 Fenton Lane, Loves Park, IL was sworn in on behalf of the other owner of the property and stated she is in favor of the Variance.

No objectors present.

Mr. Becker moved to approve a Variance for a zero side setback in the R2 Zoning District for the property commonly known as 4638 Fenton Lane. Second by Mr. Freesmeier. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

C. 4640 FENTON LANE – VARIANCE FOR A ZERO SIDE SETBACK IN THE R2 ZONING DISTRICT

No objectors present.

Mr. Becker moved to approve a Variance for a zero side setback in the R2 Zoning District for the property commonly known as 4640 Fenton Lane. Second by Mr. Freesmeier. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 4-0, MRS. NELSON ABSTAINED

D. 638 FRANCES AVENUE – VARIANCE TO WIDEN THE DRIVEWAY IN FRONT OF AND ALONGSIDE OF A HOME IN THE R1 ZONING DISTRICT

Daniel Simms, 638 Frances Avenue, Loves Park, IL was sworn in as Petitioner. Mr. Sims indicated that he would like to widen his driveway beyond the width of the garage so he can make room for a van with a wheelchair lift.

Mr. Quintanilla indicated that he received a phone call earlier today from Anthony Brackett, the contractor of the project, who is listed as the applicant. Mr. Brackett stated that the project was not moving forward and he wanted to withdraw the application. Mr. Quintanilla stated he told Mr. Brackett he would need the withdrawal in writing for tonight's meeting but never received it. Mr. Quintanilla asked for clarification from the property owner who is present.

Mr. Simms stated that he wants to move forward on the project.

It was determined that the property owner could still act on the Petition without Anthony Brackett.

No objectors present.

Mrs. Toohill moved to approve a Variance to widen the driveway in front of and alongside of a home in the R1 Zoning District for the property commonly known as 638 Frances Avenue. Second by Mrs. Nelson. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

E. TEXT AMENDMENT – ARTICLE III, SECTION 102-190, IH ZONING DISTRICT

Mr. Freesmeier moved to lay over the Text Amendment – Article III, Section 102-190, IH Zoning District. Second by Mrs. Nelson.

MOTION APPROVED 5-0

7. Public Participation and Comment

None

8. General Discussion

Mr. Thompson asked the board to consider changing the meeting time to 5:30 p.m. and the board will discuss at next month's meeting.

Attorney Nicolosi commented that he has traffic court for Loves Park on Thursday afternoons so he might be late occasionally, but he doesn't see a problem moving the meeting time to 5:30 p.m.

Mrs. Nelson commented that she drives from Crystal Lake from her work and if the weather is bad, she may be late on occasion.

Mr. Becker commented that he may have to be a presenter for his employer at next month's meeting and asked if there would be any conflicts other than abstaining from voting on that petition.

It was determined that it would not be an issue unless there isn't a quorum, otherwise he could still vote on the other items presented.

Mr. Becker moved that the meeting be adjourned. Second by Mrs. Nelson. Motion carried by voice vote. The meeting was adjourned at 6:40 p.m.

APPROVED:
Sheila Mills, Secretary