

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS**  
**THURSDAY, JULY 20, 2017**  
**5:30 P.M.**  
**CITY COUNCIL CHAMBERS**  
**LOVES PARK CITY HALL**

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:35 P.M.

MEMBERS PRESENT: ALISE HOWLETT, DENNIS HENDRICKS, CATHY NELSON,  
NICHOLAS BECKER, SHAWN NOVAK, LINDY TOO HILL

MEMBERS ABSENT: BRIAN KERN

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

OTHERS ABSENT: PLANNING OFFICER - NATE BRUCK

Chairman Howlett announced that the next Community Development Committee meeting will be held Wednesday, August 2, 2017 at 5:30 p.m.

2. MINUTES

Mrs. Novak moved to approve the minutes from the meeting held June 15, 2017. Second by Mrs. Toohill. Motion carried by voice vote.

3. ZONING OFFICE REPORT

Mr. Thompson introduced the new Zoning Board of Appeals member Dennis Hendricks, who will be filling the seat vacated by Thomas Freesmeier.

4. COMMUNICATIONS

None

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

Items A. & B. will be discussed together and voted on separately.

**A. 6204 FOREST HILLS ROAD – Special Use Permit for a retail sports memorabilia establishment in the IL Zoning District.** Appropriate notice has been given.

Patricia Poulin and Justin Jardine, 6204 Forest Hills Road, Loves Park, IL were sworn in as Petitioners. Ms. Poulin indicated that they have been renting the home with the storefront since March and they would like to utilize the storefront for a sports memorabilia business. They were told the storefront was previously used for a business.

Mr. Thompson indicated that the Special Use Permit that covered the property for the previous business expired because the property was vacant for 6 months.

No objectors present.

Mrs. Novak moved to approve a Special Use Permit for a retail sports memorabilia establishment in the IL Zoning District for the property commonly known as 6204 Forest Hills Road, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, discontinuance of the business, or change in business ownership.
2. The dumpster enclosure shall be installed on or before August 31, 2017. The applicant shall work with staff to determine the location of the dumpster enclosure.
3. The parking area in front of the building shall only be used for customer parking and the business owner's passenger vehicles. It shall not be used for personal recreational vehicles belonging to the business owner, such as, trailers or boats.

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

**MOTION APPROVED 5-0**

**B. 6204 FOREST HILLS ROAD – Special Use Permit for an accessory residence in the IL Zoning District.** Appropriate notice has been given.

No objectors present.

Mrs. Novak moved to approve a Special Use Permit for an accessory residence in the IL Zoning District for the property commonly known as 6204 Forest Hills Road, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, discontinuance of the business, or change in business ownership.

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**

**C. 5902 E. RIVERSIDE BLVD – Special Use Permit for a car and dog wash establishment in the CR Zoning District.** Appropriate notice has been given.

Dan Gusteen, 1039 Elmwood Lane, Bartlett, IL and Jeff Linkenheld, Arc Design Resources, 5291 Zenith Parkway, Loves Park, IL were sworn in as Petitioners.

Mr. Gusteen indicated that they were requesting a Special Use Permit for an express car wash and dog wash that will operate Monday thru Sunday, 7:00 a.m. to 9:00 p.m.

Mr. Linkenheld presented a site plan outlining the lay out of the business. The car wash will be a full service automated car wash with free vacuums. All mechanical equipment including the vacuums will be kept inside the building.

Mr. Becker asked if they were in agreement with the conditions that were recommended by staff.

Mr. Gusteen asked if Condition No. 1 “The Special Use Permit shall expire with the discontinuance of the business, change in property ownership, or change in business ownership” is required.

Mrs. Howlett indicated that the condition is not required but it is typical of the board to place such a condition on a Special Use Permit.

Mr. Gusteen asked for clarification of Condition No. 2 “The Special Use Permit shall expire with verified complaints from adjacent property owners, business owners, or local authorities”.

Mrs. Howlett stated that the condition allows for the city to verify that the use is appropriate and if the business is not being operated the way it was presented, then the city would have the legal right to revoke the Special Use Permit.

Mr. Gusteen stated that he feels that Condition No. 2 would cause a problem with his getting financing for the building. He requested that the board consider removing the condition.

Mr. Thompson stated that the condition is worded poorly and is not really necessary as the city has the right to address any violations already.

No objectors present.

Mr. Becker moved to approve a Special Use Permit for a car wash and dog wash establishment in the CR Zoning District for the property commonly known as 5902 E. Riverside Blvd., with the following conditions:

1. The Special Use Permit shall expire with the discontinuance of the business, change in property ownership, or change in business ownership.
2. The Special Use Permit shall have a 1-year renewal required to address any issues that may need to be addressed.

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

**MOTION APPROVED 5-0**

**D. 5614 N. SECOND STREET – Special Use Permit for a hand car wash establishment in the CR Zoning District.** Appropriate notice has been given.

Abigail Zarate, 5614 N. Second Street, Loves Park, IL was sworn in as Petitioner. Ms. Zarate indicated that she purchased the property and plans to live in the adjacent single family home and operate an automobile hand wash business with auto detailing. The hours of operation will be Monday thru Saturday, 8:00 a.m. to 5:00 p.m.

Jerry Thomas, 2313 Cairnwell Drive, Belvidere IL. Was sworn in. Mr. Thomas indicated that he owns the property at 417 Loves Court and spoke in opposition of the Special Use Permit and expressed traffic, parking, safety and noise concerns. He added that Loves Park Elementary School is at the end of the street and he is concerned with the children

walking to and from school with the added traffic.

Ms. Zarate commented that there will be no noise coming from her business, all cleaning of the automobiles will take place inside the building. The parking of vehicles will be in the parking lot only and not in the street. She added that the traffic for her business will not be going towards the school and cars will exit from the front of the building onto North Second Street.

Vicki Thomas, 2313 Cairnwell Drive, Belvidere IL was sworn in. Mrs. Thomas spoke in opposition of the Special Use Permit and expressed concerns of safety of children walking to and from the school with the increased traffic and noise control.

Don Lane, 420 Loves Court, Loves Park, IL was sworn in and expressed concerns with additional traffic and safety of the children. He added that he requested a traffic study be completed.

Mr. Quintanilla read the recommended conditions from staff based on their review.

1. The Special Use Permit shall expire with the change in property ownership of 5610 N. Second Street, 5614 N. Second Street or both.
2. The Special Use Permit shall expire with the discontinuance of the business or change in business ownership.
3. The dumpster enclosure shall be installed on or before August 31, 2017.
4. The parking areas shall be striped in accordance with the site plan and be completed on or before August 31, 2017.
5. There shall be no storage of personal or recreational vehicles stored in the required parking for the business.
6. Vehicles that are left overnight shall be stored in the building.
7. The Special Use Permit may be revoked with verified complaints from adjacent property, business owners or authorities.
8. There shall be no parking on adjacent business properties permitted.
9. The business shall be limited to hand washing of passenger motor vehicles. Only passenger vehicles weighing 6,000 lbs. or less shall be allowed on the property. Oversized vehicles that are licensed to be used for the transportation of goods or materials rather than passengers shall not be permitted.
10. Auto repair or auto servicing shall not be permitted.
11. All washing and detailing shall be performed within the building.

Mr. Thompson indicated that this property is zoned commercial retail and he read a list of uses that are permitted under Commercial Retail Zoning District.

1. Ambulance Service
2. Carpet Store
3. Bicycle Sales and Repair
4. Department and Discount Stores
5. Furniture Shop
6. Garden Supply & Seed Store
7. Hobby Store
8. Interior Decorating Shops
9. Jewelry and Watch Repair
10. Hotels and Motels
11. Office Supply
12. Restaurants

Mr. Thompson stated that the above list gives a general idea of what uses that are permitted that would generate a lot more traffic than what is proposed without any permission from the city.

Mrs. Novak moved to approve a Special Use Permit for a hand car wash establishment in the CR Zoning District for the property commonly known as 5614 North Second Street, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership of 5610 N. Second Street, 5614 N. Second Street or both.
2. The Special Use Permit shall expire with the discontinuance of the business or change in business ownership.
3. The dumpster enclosure shall be installed on or before August 31, 2017.
4. The parking areas shall be striped in accordance with the site plan and be completed on or before August 31, 2017.
5. There shall be no storage of personal or recreational vehicles stored in the required parking for the business.
6. Vehicles that are left overnight shall be stored in the building.
7. The Special Use Permit may be revoked with verified complaints from adjacent property, business owners or authorities.
8. There shall be no parking on adjacent business properties permitted.
9. The business shall be limited to hand washing of passenger motor vehicles. Only passenger vehicles weighing 6,000 lbs. or less shall be allowed on the property. Oversized vehicles that are licensed to be used for the transportation of goods or materials rather than passengers shall not be permitted.
10. Auto repair or auto servicing shall not be permitted.
11. All washing and detailing shall be performed within the building.

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**

7. Public Participation and Comment

None

8. General Discussion

None

Mrs. Novak moved that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by voice vote. The meeting adjourned at 6:45 p.m.

Sheila Mills, Secretary