

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS**  
**THURSDAY, MAY 16, 2013**  
**6:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**LOVES PARK CITY HALL**

1. VICE-CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 6:04 P.M.

MEMBERS PRESENT: ALISE HOWLETT, ERIC STROMBERG, JAMES SYLVESTER,  
BRIAN KERN, SHAWN NOVAK

ABSENT: CHAIRMAN ROB WILHELMI, NATE BRUCK

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

Vice-Chairman Howlett announced that the next Community Development Committee meeting will be held Wednesday, May 29, 2013 at 6:00 p.m.

2. MINUTES:

Mr. Stromberg moved to approve the minutes from the meeting held April 18, 2013.  
Second by Mr. Kern. Motion carried by voice vote.

3. ZONING OFFICE REPORT:

Mr. Thompson welcomed new board member Nicholas Becker.

Mr. Becker stated that he lives in the Central Park Subdivision and he also works in Loves Park at R.K. Johnson as an engineer.

4. COMMUNICATIONS:

None

5. OLD BUSINESS

None

6. NEW BUSINESS

- A. 5373 Pebble Creek Trail – Special Use Permit for a church in the RU Zoning District.  
Appropriate notice has been given.

Verlyn Swanson, 8 Johns Wood Drive, Rockford, IL was sworn in as Petitioner. Mr. Swanson indicated that he is Senior Pastor at Forest City Baptist Church and he is requesting a Special Use Permit for the church to be located on the property.

Jim Muno, 4122 Caraway Court, Loves Park, IL was sworn in and asked which way the Church will be building.

Mrs. Howlett stated that the Church is looking to occupying the existing space and not build an addition.

Marilyn Callihan, 4207 Tumbleweed Trail, Loves Park, IL was sworn in and wanted to know what the Church has planned to do after they move on the property.

Gary Adams, 5445 Pebble Creek Trail, Loves Park, IL was sworn in and stated that he lives adjacent to the property and recently he has had issues with the current owners with not allowing him access to the property. He added that for 20 years he has been able to access the property in order to access his backyard and he also mows a portion of the property because the current owners have not. Mr. Adams would like to again be able to access his backyard and would like the authority to do so in writing.

Mr. Stromberg asked if he had an agreement with the property owner for access.

Mr. Adams stated that he thought there was a written agreement at one time, but the property has changed hands so many times.

Mr. Adams asked if there were any plans to expand the parking lot, would the church need another access road from Riverside Blvd. or would they continue to utilize the existing road.

Mr. Quintanilla stated that there are no plans to make an access road from Riverside Blvd. He also stated that parking space requirements are based on seating in the church and he found there to be adequate parking available.

Mr. Adams asked if the church would be maintaining the existing tower that currently exists on the property.

Mr. Thompson stated that the portion of property that the tower is on was not purchased by the church.

Don Petty, 5461 Pebble Creek Trail, Loves Park, IL was sworn in and he stated that he has lived there for 39 years and he believes that in 1992 an agreement with previous owners was made to allow the neighbors access to their backyards.

Steve Floeter, 5417 Pebble Creek Trail, Loves Park, IL was sworn in and he expressed concerns with a pile of dirt that was hauled in 8-10 years ago and it has become an attraction to coyotes. He asked how big the church's congregation was and do they plan to expand in the future.

Katherine Billington, 5345 Pebble Creek Trail, Loves Park, IL was sworn in and expressed concern with the size of congregation, traffic, and the maintenance of the property.

Lorie Michaelis, 4173 Split Leaf Trail, Loves Park, IL was sworn in and asked what the property was zoned for now and what other kind of businesses could locate on that property. She also expressed concerns with additional traffic.

Mr. Quintanilla stated that there are many uses for the residential urban zoning district.

Mr. Thompson stated that the residential urban zoning district is geared toward agricultural use. He added that churches require a Special Use Permit in residential zoning districts. Mr. Thompson stated that commercial zoning would not be allowed in a residential area without a change in zoning.

Mr. Quintanilla commented that the city's zoning code is available on the city's website.

Mr. Swanson stated that Forest City Baptist Church has been in existence 50 plus years and have been at their present location on Pepper Drive in Rockford since 1974, which is also in a residential neighborhood. He added that their congregation has shrunk in size over the years and they currently have 40-50 people and they have no plans to become a mega church. He stated that they are willing to give access to neighboring property owners and will honor the gentlemen's agreement with the neighbors. Mr. Swanson stated that they only have services on Sunday mornings and they do not have services on Wednesdays.

Mrs. Novak asked how about the staff for the church.

Mr. Swanson answered that just he and one other part time person would be at the church during the week.

Mr. Thompson asked if there were any plans for the pile of dirt on the property.

Mr. Swanson stated that he knows that the coyotes are a big concern, but he would have to look into the cost of clearing and leveling that area. He added that they will keep the property mowed and maintained.

Mr. Nicolosi commented that anything pertaining to real estate needs to be in writing for access to the property. He added that access is not relevant to the board's decision in approving the Special Use Permit.

Mr. Becker asked if there were any plans for minor improvements.

Mr. Swanson answered they will be adding a handicap parking stall and restriping the parking lot.

Mrs. Novak stated that she feels the church would be a good use of the property.

Mrs. Novak moved to approve the Special Use Permit for a church in the RU Zoning District for the property commonly known as 5373 Pebble Creek Trail, with the condition that the parking area shall be striped according to the official site plan. Second by Mr. Becker. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

#### **MOTION APPROVED UNANIMOUSLY 4-0**

- B. 8500 E. Riverside Blvd – A Special Use Permit for off-site advertising in the IL Zoning District. Appropriate notice has been given.

Gino Galluzzo, 6075 E. Riverside Blvd. Rockford, IL was sworn in as Petitioner. Mr. Galluzzo stated that they own the property at E. Riverside Blvd. and Paladin Parkway and they would like to use this property to advertise for Sam's Pizza. They would like to get approval to keep the existing sign for the restaurant at this location. The plan is to open a restaurant on the property in the future.

No objectors present.

Mr. Becker moved to approve a Special Use Permit for off-site advertising in the IL Zoning District for the property commonly known as 8500 E. Riverside Blvd, with the following conditions:

1. The sign shall meet the required setbacks as prescribed by the city's code for signs.

2. The sign shall be a hard face surface sign and not a banner composed of flexible material such as vinyl or plastic.
3. The Special Use Permit shall expire upon full development of property.
4. The sign must meet all of the city's requirements for signs within 60 days of approval from city council.

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

**MOTION APPROVED UNANIMOUSLY 4-0**

- C. 5889 Windy Knoll Drive - A Variance for a 6-ft. privacy fence in the required front yard setback in the R1 Zoning District. Appropriate notice has been given.

Dustin Wilson, 5889 Windy Knoll Drive, Loves Park, IL was sworn in as Petitioner. Mr. Wilson stated that the property currently has a 4-ft. wooden fence at the property line. He is requesting to erect a 6-ft. privacy fence on the property line.

No objectors present.

Mr. Stromberg moved to approve a Variance for a 6-ft. privacy fence in the required front yard setback in the R1 Zoning District for the property commonly known as 5889 Windy Knoll Drive. Second by Mr. Kern. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

7. Public Participation and Comment

None

8. General Discussion

Mr. Kern moved that the meeting be adjourned. Second by Mrs. Novak. Motion carried by voice vote. The meeting was adjourned at 7:25 p.m.

APPROVED:  
Sheila Mills, Secretary