

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS**  
**THURSDAY, SEPTEMBER 19, 2013**  
**6:00 P.M.**  
**CITY COUNCIL CHAMBERS**  
**LOVES PARK CITY HALL**

1. CHAIRMAN ROB WILHELMI CALLED THE MEETING TO ORDER AT 6:06 P.M.

MEMBERS PRESENT: BRIAN KERN, NICHOLAS BECKER, ALISE HOWLETT,  
ERIC STROMBERG, SHAWN NOVAK

ABSENT: JAMES SYLVESTER, PLANNING OFFICER - NATE BRUCK

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

Chairman Wilhelmi announced that the next Community Development Committee meeting will be held Wednesday, October 2, 2013 at 6:00 p.m.

2. MINUTES:

Mrs. Howlett moved to approve the minutes from the meeting held August 15, 2013.  
Second by Mr. Stromberg. Motion carried by voice vote.

3. ZONING OFFICE REPORT:

None

4. COMMUNICATIONS:

Mr. Quintanilla presented a letter regarding Item D. 708 Renrose Avenue and a copy of the Reciprocal Easement Agreement for Item A. 6101 N. Second Street.

5. OLD BUSINESS

Items A. & C. were discussed together and voted on separately.

- A. 6101 North Second Street – Variance for a required 6-ft. side building setback to a requested 5-ft. side building setback in the CR Zoning District. Appropriate notice has been given.

Ivy Israel, 70 W. Madison St. Suite 4500, Rockford IL 61107, was sworn in as Petitioner. Ms. Israel indicated that Family Dollar and Crusader Clinic will enter into an easement agreement which will create more parking stalls. The easement agreement will not be signed until the closing of the sale of the property.

Mr. Wilhelmi asked what the hardship would be for the Variance in the building height.

Ms. Israel stated that the building is a prototype and it would be financial hardship to make building modifications.

Sam Miller, Chief Financial Officer of Crusader Clinic, 1200 W. State St. Rockford IL was sworn in and spoke in favor of the Petition and that Crusader plans to sign the easement agreement which will give both property owners additional parking flexibility. The language in the agreement is being reviewed so there isn't a problem in the future with parking.

Mr. Becker asked if the approval of the Variance affect the outcome of the TIF application.

Mr. Thompson stated that the approval of the Variance and the TIF are two completely separate issues.

Mrs. Howlett stated she felt that a hardship has not been proven by the Petitioner.

No objectors present.

Mr. Becker moved to approve a Variance for a required 6-ft side building setback to a requested 5-ft side building setback in the CR Zoning District for the property commonly known as 6101 North Second Street. Second by Mr. Kern. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 4-1, MRS. HOWLETT VOTED NO**

- B. 6101 North Second Street – Variance for a pylon sign in the 30-ft. vision triangle in the CR Zoning District. At the request of the applicant, the Variance request for the pylon sign has been withdrawn.
- C. 6101 North Second Street – Variance in parking stalls from a required 35 parking stalls to a requested 32 parking stalls in the CR Zoning District. Appropriate notice has been given.

No objectors present.

Mrs. Novak moved to approve a Variance in parking stalls from a required 35 parking stalls to a requested 32 parking stalls in the CR Zoning District for the property commonly known as 6101 North Second Street, with the conditions: 1. The easement agreement for parking is signed by both parties. 2. No outside displays or merchandise for sale shall be permitted. 3. The approval of the Variance is contingent on the approved, signed and recorded shared easement agreement prior to the submission of plans for review. Second by Mr. Kern. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 4-1, MRS. HOWLETT VOTED NO**

**6. NEW BUSINESS**

- D. 708 Renrose Avenue – Variance for a driveway addition in front of the residence in the R1 Zoning District. Appropriate notice has been given.

Vicki Snyder King, 708 Renrose Avenue, Loves Park, IL was sworn in as Petitioner. Mrs. King indicated that she would like to widen the driveway to make room for a second vehicle.

Mr. Becker asked if she located the property pins.

Mrs. King indicated that she did locate the property pins.

No objectors present.

Mr. Stromberg moved to approve a Variance for a driveway addition in front of the residence in the R1 Zoning District for the property commonly known as 708 Renrose Avenue. Second by Mrs. Howlett. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED UNANIMOUSLY 5-0**

Items E. & F. were discussed together and voted on separately.

- E. 4441 Paulson Road & 4400 Interstate Blvd – Amendment to the annexation agreements for properties previously annexed into the City of Loves Park.

Ian Linnabary, Attorney, was sworn in on behalf of Petitioner Spring Creek Development Co. He is requesting an amendment to the Annexation Agreements that relate to 465 acres of land situated east of I-90 south of Harlem Road and North of Riverside Blvd. They request to alter the timing of the applicant's obligation to post bond in connection with the development of the property. The existing agreements require that the application post the bond in the platting phase of the development and they would like to plat the property without having to post bonds to make it more marketable.

No objectors present.

Mrs. Howlett moved to approve the amendment to the annexation agreements for property previously annexed into the City of Loves Park for the property commonly known as 4441 Paulson Road & 4400 Interstate Blvd. Second by Mr. Becker.

**MOTION APPROVED UNANIMOUSLY 5-0**

- F. 8101 Harlem Road – Amendment to the annexation agreement for the property previously annexed into the City of Loves Park.

No objectors present.

Mrs. Howlett moved to approve the amendment to the annexation agreement for the property previously annexed into the City of Loves Park for the property commonly known as 8101 Harlem Road. Second by Mrs. Novak.

**MOTION APPROVED UNANIMOUSLY 5-0**

7. Public Participation and Comment

None

8. General Discussion

Mr. Thompson indicated that the city is moving forward with the Forest Hills TIF District.

Mrs. Howlett moved that the meeting be adjourned. Second by Mrs. Novak. Motion carried by voice vote. The meeting was adjourned at 6:51 p.m.

APPROVED:  
Sheila Mills, Secretary