

# Application Packet Special Use Permit



**CITY OF  
LOVES PARK**  
*"The Heart of The Midwest"*



## **City of Loves Park**

**Department of Community Development and Public Works  
100 Heart Boulevard, Loves Park, Illinois 61111  
Phone (815) 654-5033 Fax (815) 654-5004**

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**Special Use Permit - Frequently Asked Questions**

**Q. What is a Special Use Permit?**

**A.** A right granted by a local zoning authority to conduct certain activities within a zoning district. Such activities are considered conditional uses, which are permitted within the zone only upon special approval of the zoning authority by obtaining a Special Use Permit.

**Q. What are some examples of special use?**

**A.** Special uses vary by zoning district. A special use in one zone may be a permitted or prohibited use in another zone. Some examples of special uses are a schools, churches, parks, and child care facilities in the R1 (Single Family Residential) Zoning District. These types of uses are permitted in the R1 (Single Family Residential) Zoning District, but by Special Use Permit only.

**Q. What is the purpose of a Special Use Permit?**

**A.** To establish and allow for land uses, which due to their nature, require special consideration of their impact on the neighborhood and surrounding land uses.

**Q. Can the approved Special Use Permit expire?**

**A.** Yes. The Special Use Permit can expire within one year of issuance if the Zoning Board of Appeals places a conditional expiration date on the Special Use Permit or if the Special Use Permit is not initiated within 1 year of approval. Some times an expiration date is not placed on the Special Use Permit given the nature of the use for the zoning district.

**Q. What are the criteria for approval for granting a Special Use Permit?**

**A.**

- The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood.
- The establishment of the special use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.
- Adequate utilities, access roads, drainage and/or necessary facilities have been, are being or will be provided.
- Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
- The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The zoning officer shall forward the board of appeal's decision and records to the city council within ten days after action or within 45 days from the date of the public hearing if no action has been taken by the board of appeals.

**Special Use Permit - Frequently Asked Questions (Continued)**

**Q. What is the process for approval for the Special Use Permit:**

- A.**
- Consult with the staff to see if a pre-application meeting is warranted.
  - Upon submitting the application, the Zoning Officer will screen your application using **Schedule A**, the attached checklist. If the application does not meet the requirements for submission, the Zoning Officer will contact you to discuss any deficiencies that exist with the application. If the application is sufficient and no further changes and/or additional information is necessary, the petition can then be reviewed by the Zoning Officer.
  - Next, a review of the submitted application is done by the Zoning Officer. Applications must be submitted by the application deadline and no exceptions will be made because this is the review period for all completed applications.
    1. If the determination is that the application is incomplete or needs modification you will be notified by phone during the review period to work on any revisions necessary to complete the application.
    2. If the Zoning Officer determines that the application meets the criteria laid out in attached **Schedule A**, the application will move forward in the approval process.
  - After the submission of the completed application, the City will publish a legal notice at least 15 days before the hearing date. The petitioner is notified in writing of the Zoning Board of Appeals hearing date, and the property is posted with a notice of the hearing. Also, all adjacent property owners within a 250ft radius will be notified of the hearing date.
  - The Planning and Zoning office reviews the application materials and submits a staff report to the Zoning Board of Appeals and the City Council.
  - The Zoning Board of Appeals will consider the request for the zoning change and it will render a decision approving or denial of the application. The petitioner or authorized agent must be present at the hearing.
  - After the Zoning Board of Appeals renders a decision, the application will then move for further consideration to the Community Development Committee where the application will be reviewed and voted on. Once again the petitioner or authorized agent must be present at the hearing. When the application has cleared the Zoning Board of Appeals and Community Development Committee, it will then move on to the City Council for voting. If the petition is approved at the first reading, the petition is laid over for a second reading the following week. The City Council takes a final vote at this time.
  - The petitioner is notified by the City Clerk's Office of action taken by the City Council.
  - If the petition is approved, the petitioner must contact the Zoning & Building Offices to obtain all the necessary permits before beginning any construction.
  - The Ordinance takes affect 10 days after passage.

**Additional Note:** If your application is being processed concurrent with another land use action or determination, the application will be combined in the overall action and decided by the Zoning Board of Appeals at the same hearing date.

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**Special Use Permit - Frequently Asked Questions (Continued)**

**Q. Can a Special Use Permit be denied?**

**A.** Yes. No application for special use which has been denied wholly or partly by the city council shall be resubmitted for a period of one year from the date of the denial, except on the grounds of new evidence or proof of changed conditions found to be valid by the board of appeals

**Q. What role does a site plan play in the approval process?**

**A.** The approved site plan for any project is important because it provides all of the detail information for a specific project and it is also attached to the ordinance when and if the Special Use Permit is approved. Upon approval, the site plan becomes the official plan of record and the property owner or business owner must comply with its implementation

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Filing Deadline: \_\_\_\_/\_\_\_\_/\_\_\_\_ Date Filed: \_\_\_\_/\_\_\_\_/\_\_\_\_ Fee: \$\_\_\_\_\_

All of the information required for filing this application must be submitted within five days of the filing deadline. If all of the required information is not filed within the **five** day period, the applicant will be required to re-file and pay the filing fee for the application process.

1. Property owner \_\_\_\_\_  
Property owner address \_\_\_\_\_  
City, State, & Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email: \_\_\_\_\_  
Applicant name \_\_\_\_\_  
Applicant address \_\_\_\_\_  
City, State, & Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email: \_\_\_\_\_

2. Existing use: \_\_\_\_\_ Current zoning classification: \_\_\_\_\_  
Proposed use: \_\_\_\_\_

3. Explanation of the nature of the request and the improvements to be completed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. A site plan for the property must be submitted in accordance with the guidelines for a completed site plan as part of the application. The attached, **Schedule A**, provides the basic requirements for a completed site plan. It should be submitted on an 8 1/2 x 11 sheet of paper. **Schedule B** is a sample site plan for review.

5. Legal description: Lot\_\_\_\_\_, Block\_\_\_\_\_, Subdivision\_\_\_\_\_
- **Attach a metes and bounds description**
  - Identify the parcel code: \_\_\_\_\_
  - Identify the acreage: 2 acres or less\_\_\_\_\_, 2-5 acres\_\_\_\_\_, 5 acres or more\_\_\_\_\_

6. Soil and Water Report
- Winnebago County Soil & Water Conservation District  
4833 Owen Center Road  
Rockford, Illinois 61101  
815/965-2392, Extension 3

Applicant's Signature \_\_\_\_\_ Staff Initials \_\_\_\_\_

**The filing fee must be paid at the time the application is submitted and is non-refundable.**  
**Total fees not to exceed \$600**

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**PROPERTY OWNER AND APPLICANT DECLARATION**

The applicant (can be the property owner) makes the following statement based upon personal knowledge:

- 1 I am the current owner of the property or have the permission from the current owner of the property to submit this application for the subject property.
- 2 The application is being submitted with my knowledge and consent.
- 3 All statements contained in this application are true and correct to the best of my (our) knowledge.
- 4 I understand that all conditions of application approval must be completed.

I declare that under penalty of perjury under the laws of the State of Illinois and the United States of America, that the foregoing statement is true and correct.

\_\_\_\_\_  
Applicant - Print Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Applicant - Signature

\_\_\_\_\_  
Date

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The property owner makes the following statement based upon personal knowledge:

- 1 I am the current owner of the property, which is the subject of this application including all right-of-way; easements; or other property ownership's which are necessary to fulfill the requirements of this application.
- 2 The application is being submitted with my knowledge and consent.
- 3 I authorize the above applicant to represent me in the application process for this specific application.

I declare that under penalty of perjury under the laws of the State of Illinois and the United States of America, that the foregoing statement is true and correct.

\_\_\_\_\_  
Tax Parcel Number(s)

\_\_\_\_\_  
Physical Address/Location

\_\_\_\_\_  
Owner - Print Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Address (Permanent/Physical)

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Owner - Signature

\_\_\_\_\_  
Date

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**SCHEDULE A - SPECIAL USE PERMIT SITE PLAN REQUIREMENTS**

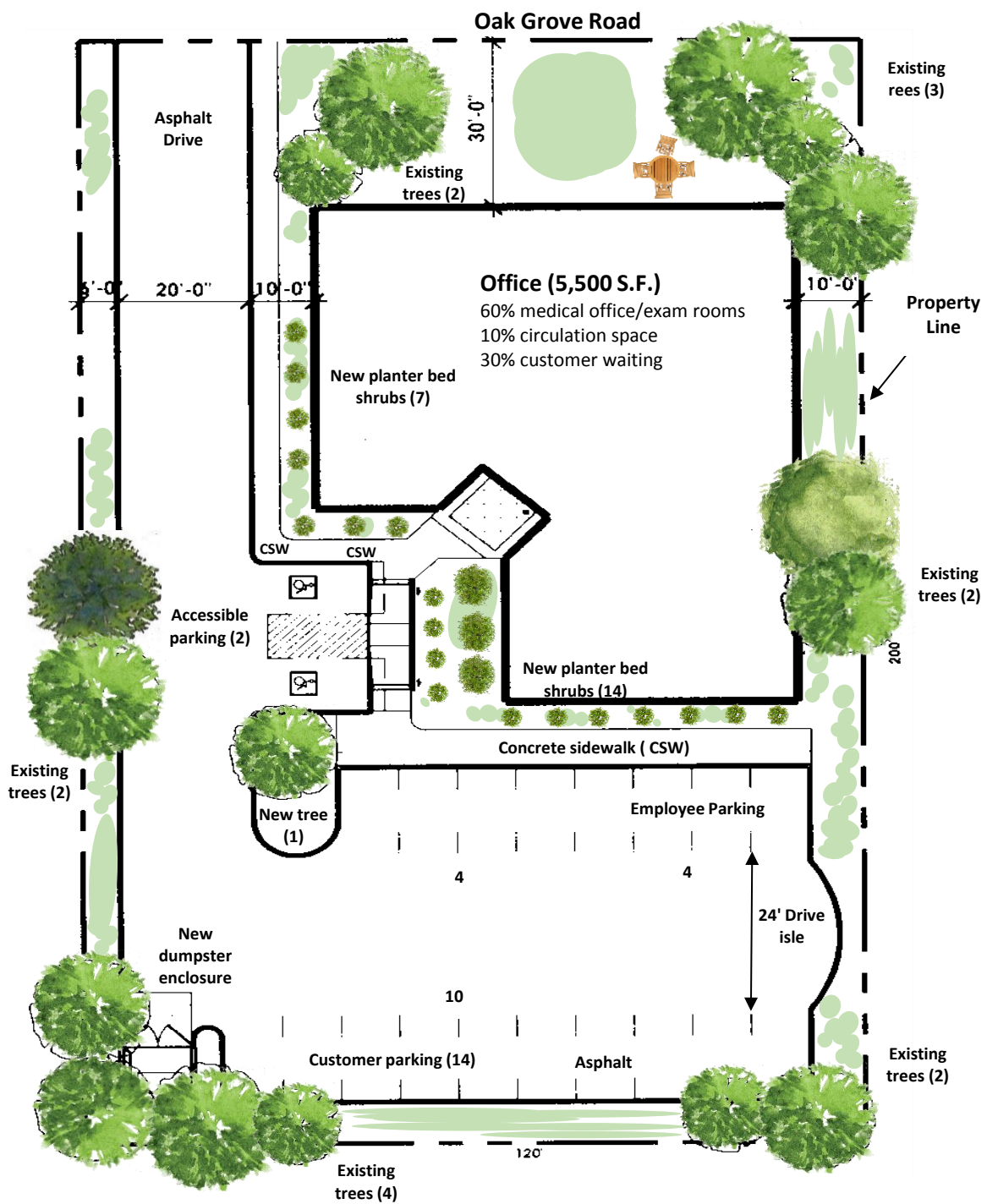
The following items are required on ALL site plans submitted with zoning applications.

- 1 Location of all property lines boundaries, as well as, an arrow showing the orientation of the property to the North
  - Identify parcel dimensions
- 2 Existing structures and improvements on the property.
  - Label existing use
  - Dimensions
  - Distances between existing and proposed structures
- \*\*\* Existing and proposed development should include, but is not limited to buildings, decks, storage tanks of any kind, driveways, and access roads.
- 3 Access to the property from the point of connection with publicly maintained road(s)
  - Existing and proposed access roads
  - Label of the use of the access road
  - Driveways and turnarounds
  - County or City rights-of-way
  - Adjacent roads, streets, alleys, etc.
  - Width and slope of access roads and driveways
- 4 Setbacks for all existing and proposed development
  - Property lines to new development and to existing structures
- 5 Proposed structure(s), area of addition, area or remodel, and improvements with identification
  - Label proposed use
  - Highlight or differentiate from existing structures
  - Distance(s) between existing and proposed structures
  - Dimensions
- 6 Location of any fencing, existing and proposed labeled
- 7 Existing and proposed landscape areas
  - Planting schedule identifying the number of trees, shrubs, bushes, and plants. Include names on schedule, and live plant placement on the site plan
  - Show label(s), size(s), and square feet of each area
- 8 Location of off-street loading and parking areas, existing and proposed with labels
  - Parking area with dimensions, and surface material (asphalt, concrete, gravel, and proposed)
  - Ingress/egress
  - Drive isles
- 9 Location of any lighting fixtures and location of lights.
- 10 Location of any existing or proposed signage



**SCHEDULE B - SAMPLE SPECIAL USE SITE PLAN**

**NOTE:** This site plan is to serve only as a guide. Your particular plan may need additional or fewer items depending on the complexity and type of project.



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**LOVES PARK ZONING BOARD OF APPEALS SCHEDULE / COMMUNITY DEVELOPMENT  
 2023**

<b>Filing Deadline</b>	<b>ZBA</b>	<b>Community Development Committee Meeting</b>
January 13, 2023	February 16, 2023	February 27, 2023
February 10, 2023	March 16, 2023	March 27, 2023
March 10, 2023	April 20, 2023	May 1, 2023
April 14, 2023	May 18, 2023	June 5, 2023
May 12, 2023	June 15, 2023	July 10, 2023
June 9, 2023	July 20, 2023	July 31, 2023
July 14, 2023	August 17, 2023	September 5, 2023
August 11, 2023	September 21, 2023	October 2, 2023
September 15, 2023	October 19, 2023	November 6, 2023
October 13, 2023	November 16, 2023	December 4, 2023
November 10, 2023	December 21, 2023	January 2, 2024
December 15, 2023	January 18, 2024	February 5, 2024

**ZBA meetings are held at 5:30 p.m., at Loves Park City Hall in Council Chambers.  
 CDC meetings are held at 6:15 p.m., at Loves Park City Hall in Council Chambers.**