

AGENDA LOVES PARK ZONING BOARD OF APPEALS June 18, 2020

WWW.CITYOFLOVESPARK.COM & CITY OF LOVES PARK FACEBOOK ACCOUNT 5:30 P.M.

- 1. Roll call and declaration of a quorum
- 2. Reading and approval of the minutes from the April 16, 2020 meeting
- 3. Report from the Zoning Office None
- 4. Unfinished business None
- 5. New business -
 - A. 5128 FOREST HILLS ROAD A Zoning Map Amendment from the R1 (Single Family Residential) Zoning District to the IH (Heavy Industrial) Zoning District.
 - B. **5373 PEBBLE CREEK TRAIL** A Special Use Permit for a church in the RU (Rural Urban Residential) Zoning District.
 - C. 1110 WINDSOR ROAD A Special Use Permit for outside storage in the IG (Industrial General) Zoning District.
- 6. Public participation & comment -

Anyone who wishes to speak regarding a petition shall contact the Zoning Officer 24 hours preceding the scheduled meeting.

- 7. General discussion
- 8. Adjournment

Andrew Quintanilla Zoning Officer

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS THURSDAY, APRIL 16, 2020 5:30 P.M. CITY COUNCIL CHAMBERS LOVES PARK CITY HALL

Virtual Meeting held at www.cityoflovespark.com

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:34 P.M.

MEMBERS PRESENT: ALISE HOWLETT, DENNIS HENDRICKS, CATHY NELSON,

SHAWN NOVAK, LYNDI TOOHILL.

BEN DANIELSON

MEMBERS ABSENT: BRIAN KERN

OTHERS PRESENT: ANDREW QUINTANILLA – ZONING OFFICER

STEVE THOMPSON - PUBLIC WORKS/COMMUNITY

DEVELOPMENT DIRECTOR ATTORNEY PHIL NICOLOSI SHEILA MILLS – SECRETARY

Chairman Howlett announced that the next Community Development Committee meeting is scheduled for Monday, April 27, 2020 at 6:15 p.m.

2. MINUTES

Mrs. Novak moved to approve the minutes from the meeting held February 20, 2020. Second by Mrs. Nelson. Motion carried by voice vote.

- 3. ZONING OFFICE REPORT
- 4. UNFINISHED BUSINESS
- 5. NEW BUSINESS

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

A. 1736 E. RIVERSIDE BLVD. - VARIANCE FROM A REQUIRED 500 FT. TO A REQUESTED 450 FT. SEPARATION BETWEEN A SINGLE FAMILY DWELLING AND A MONOPOLE CELLULAR STRUCTURE IN THE CR ZONING DISTRICT. Appropriate notice has been given.

Melissa Olson, 803 Peter Street, McHenry, IL; Doug Dolan, Dolan Realty Advisors, 450 Summerset Avenue, Westerville, MO; Joe Montalvo, property owner, 698 Stonemint Drive, Roscoe, IL; and Mario Juara, E. State Street, Rockford, IL, were sworn in on behalf of the Petitioner.

Mr. Dolan indicated that they are requesting a Variance and Special Use Permit for a proposed 75 ft., cellular monopole tower, which has been amended from the previously requested 70 ft.

Mrs. Howlett asked if the board could proceed with the petition as the Agenda stated that the application was for a 70 ft. structure.

Attorney Nicolosi indicated that the board could proceed with the consideration of the request.

Nr. Dolan commented that the placement of the monopole cell tower will enhance speed and coverage. He added that there will be landscaping and fencing to visually soften the area as recommended by city staff.

Ms. Olson added that the monopole will also enhance 911 emergency services.

Mrs. Howlett asked if a search was made for another location.

Mr. Dolan indicated that they were unable to co-locate in other areas that would meet the requirements.

Mrs. Nelson commented that the structure is actually 79 ft. with the lightning rod.

Mr. Quintanilla stated that a maximum height for a tower is 100 ft. however it was originally recommended that the maximum height of the cell tower to be 70 ft.

Mr. Thompson recommended that the board approve a height of up to 79 ft. to allow for the lightning rod.

Mr. Dolan stated that he is requesting that the board approve a height of up to 79 ft. to allow for the lightning rod.

Mr. Bruck presented a landscaping plan to the board, however the information was not provided to the board prior to the meeting.

Mr. Quintanilla commented that the landscaping and fence plan provided by the petitioner allows for more than what is recommended by city staff.

No objectors present.

Mrs. Novak moved to approve a Variance from a required 500 ft. to a requested 450 ft. separation between a single-family dwelling and a monopole cellular structure in the CR Zoning District for the property known as 1736 E. Riverside Blvd. Second by Mr. Hendricks. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

B. 1736 E. RIVERSIDE BLVD. – SPECIAL USE PERMIT TO ALLOW A 79 FT. MONOPOLE CELLULAR STRUCTURE IN THE CR ZONING DISTRICT. The appropriate notice has been given.

No objectors present.

Mrs. Novak moved to approve a Special Use Permit to allow a 79 ft. monopole cellular structure in the CR Zoning District for the property known as 1736 E. Riverside Blvd., with the following conditions:

- 1. The tower shall provide for future co-location of 2 additional cellular company antennas.
- 2. There shall be a mounded landscape area with some combination of pines and arborvitaes that conceals the northern and eastern boundaries of the fence. The landscape plan shall be included with the permitting process. The owner will be responsible for the maintenance repair and replacement of all landscape materials. The plant materials and landscape bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times.
- 3. The monopole or any of the antennas shall not exceed a height of 79 ft.
- 4. The interior fence area shall be concrete.

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

MOTION APPROVED 5-0

C. 6245 N. SECOND STREET – SPECIAL USE PERMIT FOR A CAR WASH ESTABLISHMENT IN THE CR ZONING DISTRICT. The appropriate notice has been given.

Dan Gusteen, Extreme Clean Car Wash, 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 he is requesting a Special Use Permit for a car wash at 6245 N. Second Street, which he feels is a good fit for the property.

Mr. Linkenheld presented a site plan that includes landscaping and a masonry wall on the southeast corner for a noise buffer and he added that all access will be from Theodore Street

Dale Christensen, 533 Theodore Street, Loves Park, IL was sworn in as Objector. Mr. Christensen expressed concerns with noise, lighting, hours of operation, and traffic. He added that the traffic at the intersection of N. Second Street and Theodore Street gets backed up in the turn lane on Theodore Street at times, and he feels backups will increase with the carwash traffic, if the traffic signals aren't adjusted.

Mr. Gusteen commented that the hours of operation will be 7:00 a.m. to 9:00 p.m. in the summer and 7:00 a.m. to 8:00 p.m. in off-season. The led lighting will be directed to the property only and only 2 security lights will be on when the business is closed. Mr. Gusteen added that they will have a quick shut door that will eliminate noise from escaping from the building and the vacuum mechanics are also located inside to eliminate sound.

Mrs. Toohill moved to approve a Special Use Permit for a car wash establishment in the CR Zoning District for the property known as 6245 N. Second Street, with the following conditions:

- 1. The Special Use Permit shall expire with the change in property ownership, discontinuance of the Extreme Clean Car Wash, or change in business ownership.
- 2. The mixed masonry wall, up to a height of 8-ft, along the eastern property line shall be allowed and mirror the wall established at the Elgin, Illinois Extreme Clean Car Wash location.
- 3. The Special Use Permit shall expire after 1 year of approval. The owner shall be required to renew the Special Use Permit before its expiration.
- 4. The owner will be responsible for the maintenance, repair, and replacement of all landscaping materials. The plant materials and landscaped bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times.

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

6. PUBLIC PARTICIPATION AND COMMENT

None

7. General Discussion

None

Mrs. Nelson moved that the meeting be adjourned. Second by Mrs. Novak. Motion carried by voice vote. The meeting adjourned at 6:34 p.m.

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

LOVES PARK	Date: May 28, 2020
SUBJECT:	A Zoning Map Amendment from the R1 (Single Family Residential) Zoning District to the IH (Heavy Industrial) Zoning District.
SYNOPSIS:	Applicant seeks to align zoning for a parcel with his other properties.
LOCATION:	5128 Forest Hills Road - Parcel 12-07-326-005
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of heavy industrial uses.
ZONING DISTRICT:	North IL (Light Industrial) South IH (Heavy Industrial) East R1 (Single Family Residential) West IH (Heavy Industrial)
PROPERTY INFORMATION AND RELEVANT FACTS:	The property owner would like to rezone a property from single family residential to heavy industrial.
	The property owner owns several other properties in the area, and is petitioning the City to rezone this parcel so that it shares the same zoning classification as the other parcels, which are in the heavy industrial district.
RECOMMENDATION:	Approval - A Zoning Map Amendment from the R1 (Single Family Residential) Zoning District to the IH (Heavy Industrial) Zoning District.
	APPROVAL / DENIAL / TABLED
ATTACHMENTS:	See attachments
Vote:	
AUDIENCE COMMENTS:	



Property Address: 5128 Forest Hills Road

Parcel Number: 12-07-326-005

Applicant: William Charles Real Estate Investment, LLC

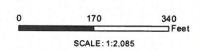
1401 N. Second Street Rockford, Illinois 61107

Owner: William Charles Real Estate Investment, LLC

1401 N. Second Street Rockford, Illinois 61107











ZONING BOARD OF APPEALS

Community Development Department

Date: June 10, 2020

SUBJECT: A Special Use Permit for a church in the RU (Rural Urban) Zoning District.

SYNOPSIS: Pebble Creek Church would like to operate at this location with a small congregation.

LOCATION: 5373 Pebble Creek Trail

COMPREHENSIVE

PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of

densely residential development.

ZONING DISTRICT: North R1 (Single Family)

South CO (Commercial Office)

East R1 (Single Family) R2 (Two-family) and R3 (Multi-family)

West R2 (Commercial Retail)

RELEVANT PROPERTY

INFORMATION: The applicant would like to establish a church at this location. The building was

formerly occupied by Forest City Baptist Church. A special use is required for the

new business in the zoning district.

Dumpster:

Required by code: Code requires that a dumpster or trash be established for this business. It further

requires that it be screened by a solid fence or wall adequate to shield the containers.

Provided:

A dumpster is provided on site. The dumpster is currently not secured or screened.

The applicant will be providing the screened enclosure to meet the requirement.

Landscaping:

Required by code: The applicant is required to provide landscaping made up of trees, shrubs, vines,

and other live plant materials. The previous owner has installed a wide variety of

plants and trees.

Provided: No further landscaping will be required. Existing landscaping will be maintained.

Parking:

Required by code: Thirteen parking stalls are required, with an ADA compliant parking stall.

Provided: The applicant is providing 29 stalls, which includes an ADA compliant parking stall.

No further parking is required.

The establishment of the special use will not be detrimental to the public health or

adversely impact the area or land values. The use that will be established is a low low impact use and should not negatively impact the surrounding properties and zoning district. The area is a mixed use of single family and multi-family dwellings. The establishment of the use compliments existing uses.

Recommendation:

Approval with conditions - A Special Use Permit for a church in the RU (Rural Urban) Zoning District.

Conditions:

- 1. The Special Use Permit expires with the change in property ownership, or discontinuance of Pebble Creek Church.
- The owner is responsible for the maintenance, repair, and replacement of all landscape materials. The plant materials and landscape bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times. Existing trees and shrubs shall be kept and maintained.
- The dumpster enclosure shall be installed before the church opens to the public.
- 4. The Special Use Permit shall be revoked with verified complaints from adjacent property owners and/or local authorities.

APPROVAL / DENIAL / TABLED

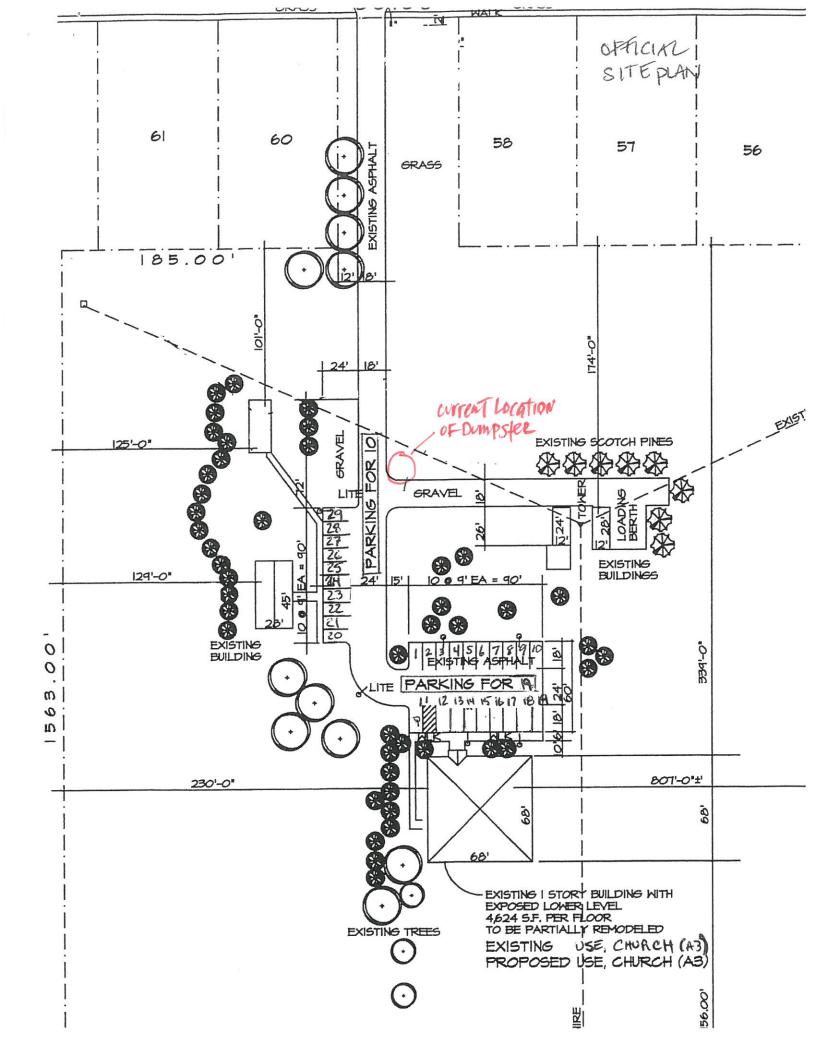
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See attachments

ZONING BOARD
RECOMMENDATIONS

AUDIENCE COMMENTS:

Vote:	
CONDITIONS:	



Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be met before a petition for a for a special use may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

5373 Pebble Creek Trail

	ZBA
1 -	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.
	December
	Reason:
2 _	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.
	Reason:
	11645011.
3 _	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.
	Reason:
4 _	Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

	Reason:
5	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
	Reason:
6 _	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.
he Zoi	indings are based on staff interpretation of the required findings necessary for approval of a Special Use Permining Board of Appeals must indicate whether or not all the findings have been considered to substantiate the
hese f	indings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals item: 5373 Pebble Creek Trail Church C
Chairm Alise Ho	



Fence

Provided:

Required by code

hedge.

Date:

ZONING BOARD OF APPEALS

Community Development Department

LOVES PARI	Date: June 10, 2020
SUBJECT:	A Special Use Permit for outside storage in the IG (Industrial General) Zoning District.
SYNOPSIS:	Owner would like to establish outside storage area for recreational vehicles and a small self storage area.
LOCATION:	1110 Windsor Road
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of light industrial uses.
ZONING DISTRICT:	North IG (Industrial General) South R1 (Single Family Residential) East IG (Industrial General) West CR (Commercial Retail) & Residential (Machesney Park)
PROPERTY INFORMATION AND RELEVANT FACTS:	The property owner would like to establish a rental business for the outside storage of recreational vehicles, campers, trailers, boats, and passenger vehicles, as well as, outdoor storage for a small number of self storage units.
Signage	The business may install a monument sign on site for this business. The sign shall meet all current requirements for such signs as established in Section 102, Article VI, of the City's Zoning code.
Landscaping Required by code	An 8 foot landscape buffer spanning both frontages is required. The buffer shall be mounded 1 foot and filled with some combination of planted trees, shrubs, vines, ground cover, plants or lawn.
	Landscaping for the interior part of the developments is also required. The project is required to have more than 10 trees, with protective curbing or other protective barriers from automobiles and trucks to preserve the landscaping.
Provided:	An 8 foot landscape buffer on both frontages with a combination of staggered arborvitae and low lying shrubs and plants. The applicant will not be providing any interior landscape as required by code. Staff finds that landscaping the interior areas may impact maneuverability within the designated parking area given that these areas will accommodate larger oversized recreational vehicles. Staff finds that the trees along the entire west property line and the southern portion of the parking area sufficiently meets the City's requirement for trees to enhance the aesthetics of the property.

Outside storage is required to be screened with a site-obscuring fence or landscape

The staggered arborvitae as shown on the site plan will provide the site obscurity,

however, the 6 foot fence will serve to provide security for the outside storage rental being offered. The applicant intends to provide slats for screening. Staff finds that vinyl slats will not be necessary as the landscaping shall provide suitable screening. The fence and landscaping will enclose the entire south and west parameter of the property. The applicant will also be removing a large section of 12 foot high fencing along the northwest property line, that does not meet City code. It will be replaced with 6 foot chain link fence that is consistent with the rest of the development.

Outdoor Storage Area Required by code

The outdoor storage parking area is required to provide sufficient vehicle circulation and shall be striped to delineate actual parking stalls for rent. The vehicle circulation for perpendicular parking is 24 feet.

Provided

The outside storage will consist of 61 striped stalls that will accommodate vehicles, boats, rv's, and trailers. The parking area shows that the 24 foot vehicle circulation will be observed and stalls will be striped.

The petitioner is also requesting to place 10 (10 \times 10 \times 8.5) self storage units on the interior part of the development. Staff was provided information of examples of the types of units that will be considered for this project. Staff was informed by the petitioners agent that the owners of the property had not decided on any one particular model.

The vehicle and self storage area is not fully protected by a grade change that exists of up to four feet in some areas. It is recommended that a barrier be provided.

The establishment of the special use will not be detrimental to the public health or adversely impact the area or land values. The property owners are making improvements to the area that should positively impact the surrounding properties and zoning district. The area is a mixed use of commercial, residential and light industrial uses. The project will not impact development or business already operating in the zoning district.

RECOMMENDATION:

Approval - A Special Use Permit for outside storage in the IG (Industrial General) Zoning District.

Conditions:

- 1. The Special Use Permit expires with the change in property ownership or or discontuance of the pallet company.
- Only the area designated for outside vehicle storage, according to the site plan, can be used for that purpose. No additional areas may be created. There shall be no storage outside of the self storage units permitted.
- 3. Only licensed operable vehicles may be stored on the property, and in the designated parking areas for vehicles. Vehicles include passenger vehicles, commercial vehicles that do not require a CDL, recreational vehicles, and trailers. No pallets, construction or bulk materials are permitted to be stored in the area designated for vehicle and self storage.
- 4. The property owner shall continue the 6 foot high chain link fence the entire length of the west property line, and remove all sections of the 12 foot high fence on Elm Street. All of the brush and overgrowth shall be removed. Chain link fence slats are not permitted.
- The owner is responsible for the maintenance, repair, and replacement of all landscape materials. The plant materials and landscape bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris,

- and weeds at all times. Existing trees and shrubs that will be kept shall be pruned and integrated into the landscaping.
- A protective guard rail or barrier shall be provided for the striped vehicle and self storage area. The striping and barrier shall be completed before the business opens to the public.
- 7. The Special Use Permit may be revoked with verified complaints from adjacent property owners or businesses.
- 8. Only 10 self storage units (10x10x8.5) or smaller are permitted.
- 9. The fence on the north and northeast part of the property needs to be repaired and maintained.

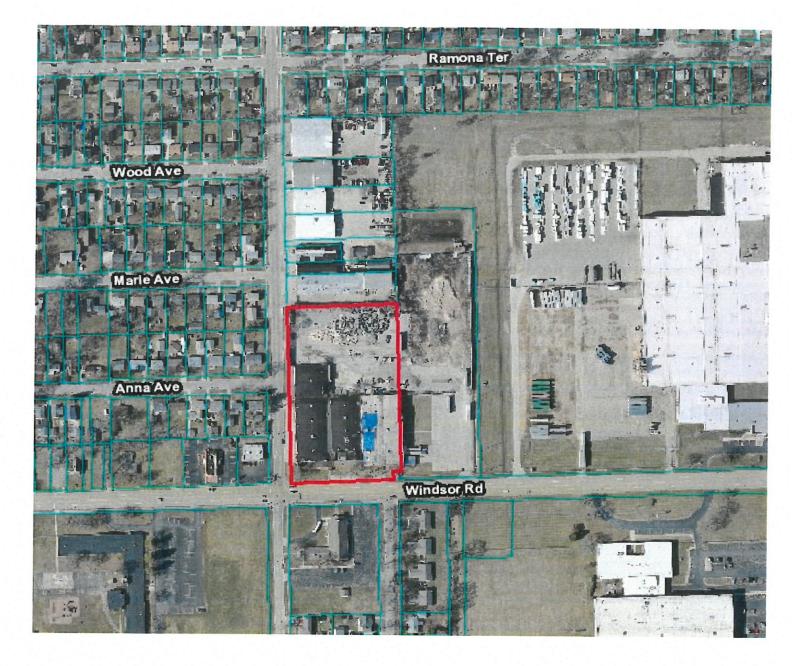
APPROVAL / DENIAL / TABLED

ATTACHMENTS:

See attachments

Vote:

AUDIENCE COMMENTS:



Parcel Number: 08-34-455-009

Zoning: Industrial General

Property Address: 1110 Windsor Road

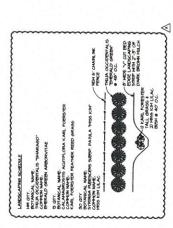
Property Owner: Joseph Messer

225 W. Washington, Ste 575

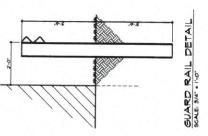
Chicago, Illinois 60606

Applicant: Jeffrey A. Myers

10395 Glen Abbey Close Rockford, Illinois 61107







PLOECT NO.102-20

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JEFFREY A. MYERS, P.C. 10395 GLEN ABBEY CLOSE ROCKFORD, ILLINOIS 61107 (815) 8886-3500 (815)

CONCRETE W/ TORTA-FERRO" CONCRETE FIBERS -8" GRANULAR FILL BASE Great Lekes Pallet Company THO WINDSOR ROAD LOVES PARK, IL 61111 (815) 637-1565 FAX (815) 637-1565 FAX OMNEHS:

GREAT LAKES OUTDOOR STORAGE

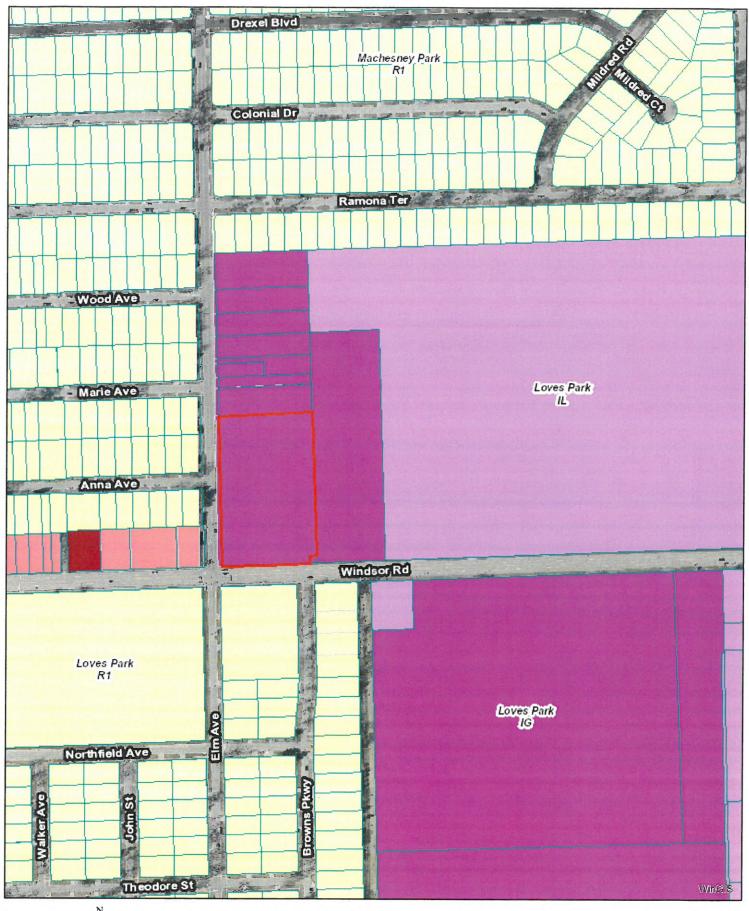
TONES BARK' IF GITH

ARCHITECTURAL SITE PLAN

(815) 885-3522 FAX

SECHITECT:

CONCRETE DOLLY PAD





WinGIS cannot and does not warrant the accuracy of: property and boundary lines, dimensions of parents and lots, location of structures or improvements, and bopgraphic or geologic features on the land. Only on-site verification or field curveys by a licensed professional and surveys can provide such accuracy.









0 170 340 Feet SCALE: 1:2,085

Winnebago County Geographic Informa

Proposing (19) 10'x 10'x 8-6" eave, Self-storage units with overhead doors.

Will submit permit drawings of the buildings when the Owner wants to proceed.

PREFABRICATED SELF-STORAGE BUILDINGS

· 1110 Windsor Road, Loves Park, IL 61111

Your self-storage facility should project a sense of security and safekeeping to your customers. After all, your prefabricated storage buildings are where they are going to store all of their cherished items short-term (or long-term).

















Our Searcy Building Systems' prefabricated self-storage buildings will offer an invaluable sense of protection for both you the business owner as well as your customers. Our solid steel self-storage buildings will stand up to potential hazards such as heavy winds, hail and snow / ice damage as well as termites or other nuisance pests.

Because of this, our steel mini-storage buildings are less likely to have repair and maintenance issues. No treating, no repairs and low maintenance results in significant cost savings to you with the peace of mind that your renters know that they are storing their belongings in a high quality, state of the art prefab storage units.

Our prefabricated self-storage buildings can be designed with a variety of different storage unit sizes and mixes depending on your and your customer's needs. Whether you want a standard non-climate-controlled storage building or a climate-controlled facility that fully insulated to maximize protection of your clients' valuables from the elements, Searcy Building Systems has your every need covered.

Our prefabricated self-storage buildings are...

- · Long-lasting.
- Versatile (can be engineered for any need).
- Low-maintenance.
- · Termite resistant.
- · Quick and easy to assemble.
- · More cost-effective than other types of construction.
- More durable than wood-framed buildings.

Our mini steel warehouse buildings are designed using the most cutting-edge technology and the most experienced steel building engineers in the industry. Our pre-engineered steel mini-storage kits offer solutions that are custom-made to fit whatever you need within your budget.

Request a quote for a customized prefabricated storage building today!

Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be met before a petition for a for a special use may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

1110 Windsor Road

ZBA	
1	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.
	Reason:
2	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.
	Reason:
3	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.
	Reason:
4	Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

	Reason:
5 _	Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
	Reason:
	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.
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hrovs	ll of a special use.
nese f	ndings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals
	Indings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals item: 1110 Windsor Road Outside storage