

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS**  
**THURSDAY, FEBRUARY 20, 2020**  
**5:30 P.M.**  
**CITY COUNCIL CHAMBERS**  
**LOVES PARK CITY HALL**

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: ALISE HOWLETT, DENNIS HENDRICKS, CATHY NELSON,  
BRIAN KERN, SHAWN NOVAK, LYNDI TOOILL,  
BEN DANIELSON

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, March 2, 2020 at 6:15 p.m.

Mr. Thompson introduced a new member, Ben Danielson to the Zoning Board of Appeals.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting held December 19, 2019.  
Second by Mr. Hendricks. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

5. UNFINISHED BUSINESS

- A. **TEXT AMENDMENT – A TEXT AMENDMENT TO ALLOW CAR DEALERSHIPS AS A PERMITTED USE BY SPECIAL USE PERMIT IN THE CR ZONING AND N. SECOND STREET OVERLAY DISTRICTS.**

No Objectors present.

Mrs. Nelson moved to approve a text amendment to allow car dealerships as a permitted use by Special Use Permit in the CR Zoning and N. Second Street Overlay Districts.  
Second by Mrs. Toohill.

**MOTION APPROVED 6-0**

- B. **5312/5400 N. SECOND STREET – SPECIAL USE PERMIT TO ALLOW AN AUTOMOBILE SALES AND SERVICE STATION WITH INTERIOR AND EXTERIOR AUTOMOBILE SALES AREAS IN THE CR AND N. SECOND STREET OVERLAY DISTRICTS.** Appropriate notice has been given.

Chris Logli, Attorney, 6833 Stalter Drive, Rockford IL and Dave Sockness, Stenstrom Co. 2422 Center Street, Rockford, IL were sworn in representing the Petitioner, Mad II, LLC/Kar Korner.

Mr. Logli indicated that they are requesting a Special Use Permit as they would like to relocate the existing car lot at 4925 N. Second Street to the proposed location.

No Objectors present.

Mrs. Novak moved to approve a Special Use Permit to allow an automobile sales and service station with interior and exterior automobile sales areas in the CR and N. Second Street Overlay Districts for the property known as 5312/5400 N. Second Street, with the following conditions:

1. The Special Use Permit shall expire with the change in property ownership, change in business ownership, or discontinuance of the automobile sales business.
2. Business signage shall meet the requirements of Article VI, Section 102-284, subject to the limitations in the N. Second Street Overlay District.
3. All areas utilized for driving or parking must be paved with a dust free hard impervious surface within 1 year of approval of the Special Use. Such material shall be approved by the City prior to installation. All customer, employee, and sales area shall be striped and outlined before the business opens to the public. Vehicles for sale shall be parked in the designated sales areas observing vehicle circulation on both parcels at all times. The sales areas shall be further defined with the appropriate striping around these areas, and no internal striping shall be required within these defined sales areas.
4. Vehicles for sale shall only be permitted in the designated parking areas as identified on the site plan for both passenger and non-passenger vehicles, while observing all of the required vehicle circulation at all times.
5. There shall be no storage of the owner or employees personal or recreational vehicles, which includes campers, trailers, rv's, aquatic items, boats, or any other items not associated with the business.
6. The business shall be limited to the sale of passenger motor vehicles only. No vehicles that requires a Commercial Drivers License (CDL) to operate shall be permitted to be stored or for sale on either lot.
7. Signage shall only be permitted to be placed on the inside of the rear passenger window on paper, indicating price, option, and other relevant information. Signage for the year, model, and price shall be permitted on the front passenger windshield with the use of manufactured professional appearing letters and numbers for any vehicle for sale.
8. Loading and unloading of vehicles shall only be permitted in the rear of the building.
9. No vehicle repair shall be permitted. All vehicles shall be operable and maintained in a good state of repair.
10. The installation of a dumpster enclosure shall be coordinated with staff, and be installed with the development of Phase 1. The enclosure shall be in place before the business opens to the public. The site-obscured fence shall be installed as part of Phase 1.
11. The landscaping requirement, with the 2 foot stacked limestone, shall be acceptable to satisfy the N. Second Street Overlay District requirement. The owner will be required to remove asphalt for the landscape buffer, curb all sides of the buffer and interior landscape areas. The landscape plan, as presented, is acceptable, however, any changes shall be approved by city staff as part of an administrative review. The owner will be responsible for the maintenance, repair, and replacement of all landscaping materials. The plan 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.

12. Staff was made aware that the property owner has plans being reviewed by the site developer for Phase 2 of the development. In the interest of ensuring that the development occurs in a timely manner, staff recommends that the plans for Phase 2 be submitted to the Community Development Department within 1 year of approval of the Special Use.
13. The business shall not be “buy here, pay here” establishment. Financing shall be secured from an independent off-site third party.
14. 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.

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

**MOTION APPROVED 6-0**

**6. NEW BUSINESS**

- A. 4075 MULFORD ROAD – SPECIAL USE PERMIT FOR A GOLF CART SALES, AND REPAIR SERVICE, RETAIL PRINTING, WITH A SMALL OUTSIDE SALES DISPLAY AREA, AND OUTSIDE STORAGE IN THE CR ZONING DISTRICT.** Appropriate notice has been given.

Matt Dahm, 4075 Mulford Road, Loves Park, IL was sworn in as Petitioner. Mr. Dahm indicated that he is requesting a Special Use Permit so he can relocate his existing golf cart business to this Location.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for a golf cart sales, and repair service, retail printing, with a small outside sales display area, and outside storage in the CR Zoning District for the property known as 4075 Mulford Road, with the following conditions:

1. The Special Use Permit shall expire with the discontinuance of the golf cart establishment, or change in business ownership, or change in property ownership.
2. The Special Use Permit shall be revoked with verified complaints from adjacent businesses, residents or local authorities.
3. Only golf carts shall be on display in the area designated for golf cart display. No parking in the right-of-way, on the grass, or other areas shall be permitted for display. Trailers shall be stored behind the fence.
4. No exterior merchandise shall be on display outside of the building.
5. The owner shall work with staff to coordinate replacement/relocation, before the business opens to the public.
6. The existing pylon sign shall be allowed to be refaced, with regular maintenance only. No further additions shall be permitted.
7. No banners, promotions, or manufacture displays shall be displayed on the fence.
8. A site obscured dumpster enclosure shall be installed on or before May 31, 2020. Efforts shall be coordinated with staff.
9. There shall be no storage of the owner or employees personal vehicles, trailers, campers, rv's, or recreational aquatic items stored on the property.
10. All repair work and wrapping shall be performed inside of the building.

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

**MOTION APPROVED 6-0**

7. PUBLIC PARTICIPATION AND COMMENT

None

8. General Discussion

None

Mr. Kern that the meeting be adjourned. Second by Mrs. Novak. Motion carried by voice vote.  
The meeting adjourned at 6:20 p.m.

Sheila Mills, Secretary