

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, SEPTEMBER 17, 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,
LYNDI TOOILL, BEN DANIELSON, MIKE OWENS

MEMBERS ABSENT: SHAWN NOVAK

OTHERS PRESENT: ANDREW QUINTANILLA – ZONING OFFICER
ATTORNEY PHIL NICOLSI
NATHAN BRUCK - ECONOMIC/PLANNING OFFICER
SHEILA MILLS - SECRETARY

Chairman Howlett announced that the next Community Development Committee meeting is scheduled for Monday, September 28, 2020 at 6:15 p.m.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting held July 16, 2020.
Second by Mr. Hendricks. Motion carried by voice vote.

3. ZONING OFFICE REPORT

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- A. **61XX COMMONWEALTH DRIVE – ZONING MAP AMENDMENT FROM THE CO ZONING DISTRICT TO THE R1 ZONING DISTRICT.** Appropriate notice has been given.

Jeremiah Erber, 6802 Cummins Drive, Rockford, IL was sworn in as Petitioner and stated that he is requesting a Zoning Map Amendment as he would like to purchase the property to build a single family home that he will occupy. He feels that the odd shaped property would be put to better use as residential property as it backs up to a creek.

No objectors present.

Mr. Owens moved to approve a Zoning Map Amendment from the CO Zoning District to the R1 Zoning District for the property known as 61XX Commonwealth Drive. Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

- B. **6622 RED BARN ROAD – VARIANCE TO PLACE A PARKING PAD ALONGSIDE OF THE EXISTING DRIVEWAY IN FRONT OF THE HOME IN THE R1 ZONING DISTRICT.** Appropriate notice has been given.

Carl Mohns, 6622 Red Barn Road, Loves Park, IL was sworn in as Petitioner and stated that he is requesting a Variance to install a parking pad alongside of the existing driveway to park a vehicle.

No objectors present.

Mr. Owens moved to approve a Variance for a parking pad alongside of an existing driveway in front of the home in the R1 Zoning District for the property known as 6622 Red Barn Road. Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

Items C and D will be discussed together and voted on separately.

- C. **7190 E. RIVERSIDE BLVD. – SPECIAL USE PERMIT FOR A DRIVE-THRU WINDOW IN THE CR AND I-90 EAST RIVERSIDE OVERLAY ZONING DISTRICTS.** Appropriate notice has been given.

Chuck Thomas, 4175 McFarland Road, Loves Park, IL and Nick Becker, RK Johnson, 1515 Windsor Road, Loves Park, IL were sworn in as Petitioners. Mr. Thomas indicated that they are requesting a Variance and Special Use Permit to make the small lot sellable as Chipotle is looking to build on the property.

Mr. Becker stated that they are aware and agree to the staff recommended conditions.

Chairman Howlett stated that the dumpster and enclosure placement on the site plan looks like an open dumpster door would partially block the drive-thru lane.

Mr. Becker stated that the dumpster was placed in such a way to allow for more parking.

Chairman Howlett commented that she feels the site is too small for the proposed development.

Mr. Owens commented that a *ballard* could be installed to stop the dumpster door from opening into the drive-thru lane.

Chairman Howlett commented that a *ballard* wouldn't allow the dumpster to be removed properly from the enclosure.

Mr. Danielson commented that by his past experience fast food restaurants usually schedule dumpster service for early morning hours and he feels the enclosure door wouldn't be an issue.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for a drive-thru window in the CR and I-90 East Riverside Overlay Zoning Districts for the property known as 7190 E. Riverside Blvd., with the following conditions:

1. The Special Use Permit expires with the change in use.
2. A landscape buffer, up to 5-ft., shall be permitted on all frontages. Right-of-way landscaping on Hangar Road and Kings Acres Drive shall be installed.
3. The business and/land owner shall be responsible for the maintenance, repair, and bed areas shall be maintained in a healthy growing condition and free from refuse, debris, and weeds at all times.
4. The dumpster enclosure and all off-street parking shall be installed and marked as shown on the site plan before the business opens to the public.
5. All building and signage materials shall meet the requirements of Article VI Signs, Section 102-284, the East Riverside/I-90 Overlay District, Section 102-338, and the Overlay Review Board.
6. A pedestrian bike/walking path shall be installed along the north end of the parcel as to facilitate safe pedestrian access between adjacent development as required by the E. Riverside/I-90 Overlay District.

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

MOTION APPROVED 5-0

- D. **7190 E. RIVERSIDE BLVD. – VARIANCE FROM THE REQUIRED 8-FT. LANDSCAPE BUFFER TO A REQUESTED 5-FT. LANDSCAPE BUFFER ALONG KINGS ACRES DRIVE AND HANGAR ROAD IN THE CR AND I-90 E. RIVERSIDE OVERLAY DISTRICTS.** Appropriate notice has been given.

No objectors present.

Mrs. Nelson moved to approve a Variance from the required 8-ft. landscape buffer to a requested 5-ft. landscape buffer along Kings Acres Drive and Hangar Road in the CR and I-90 E. Riverside Overlay Districts for the property known as 7190 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

- E. **912 THEODORE STREET – VARIANCE TO INCREASE THE ALLOWABLE SQUARE FOOTAGE FOR AN ACCESSORY STRUCTURE IN THE R1 ZONING DISTRICT.** Appropriate notice has been given.

David and Lisa Nolley, 912 Theodore Street, Loves Park, IL were sworn in as Petitioner and they indicated that they are requesting a Variance in the size of his garage to allow for additional storage.

No objectors present.

Mrs. Nelson moved to approve a Variance to increase the allowable square footage for an accessory structure in the R1 Zoning District for the property known as 912 Theodore Street. 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

F. 610 TRENT LANE – VARIANCE TO ALLOW A 5-FT. FENCE IN THE REQUIRED FRONT YARD BUILDING SETBACK BEHIND THE HOME ON PAISLEY DRIVE IN THE R1 ZONING DISTRICT. Appropriate notice has been given.

Marcus Simpson, 610 Trent Lane, Loves Park, IL was sworn in as Petitioner and indicated he was requesting a Variance so he could install a 5-ft fence on his property in the front yard setback. The hardship is that the property is 75 percent frontage which prevents him from installing anything higher than 4-ft, which does not allow for privacy.

No objectors present.

Mr. Owens moved to approve a Variance to allow a 5-ft. fence in the front yard setback behind the home on Paisley Drive in the R1 Zoning District for the property known as 610 Trent Lane. 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

G. 668 TRENT LANE – VARIANCE TO ALLOW A 6-FT. FENCE IN THE REQUIRED FRONT YARD BUILDING SETBACK BEHIND THE HOME ON PAISLEY DRIVE IN THE R1 ZONING DISTRICT. Appropriate notice has been given.

Mrs. Nelson moved to layover a request for a Variance to allow a 6-ft. fence in the front yard setback behind the home on Paisley Drive in the R1 Zoning District for the property known as 668 Trent Lane. Second by Mr. Danielson.

MOTION APPROVED 5-0

H. TEXT AMENDMENT – CHAPTER 102, ARTICLE IV, HOME OCCUPATIONS, SECTION 102-213.

Mrs. Nelson moved to layover a request for a Variance to allow a 6-ft. fence in the front yard setback behind the home on Paisley Drive in the R1 Zoning District for the property known as 668 Trent Lane. Second by Mr. Danielson.

MOTION APPROVED 5-0

6. PUBLIC PARTICIPATION AND COMMENT

None

7. General Discussion

None

Mr. Owens moved that the meeting be adjourned. Second by Mr. Hendricks. Motion carried by voice vote. The meeting adjourned at 6:24 p.m.

Sheila Mills, Secretary