



**AGENDA**  
**LOVES PARK ZONING BOARD OF APPEALS**  
**February 18, 2021**

**CITY COUNCIL CHAMBERS**  
**100 HEART BOULEVARD**  
**5:30 P.M.**

1. Roll call and declaration of a quorum
2. Reading and approval of the minutes from the **December 17, 2020** meeting
3. Report from the Zoning Office - None
4. Unfinished business – None
5. New business –
  - A. **507 BOYLSTON STREET** – A Zoning Map Amendment from the CG (Commercial General) Zoning District to the R1 (Single Family Residential) Zoning District.
  - B. **5400 & 5312 N. SECOND STREET** – An amendment to a Special Use Permit for commercial vehicle sales in the CR (Commercial Retail) and N. Second Street Overlay Districts.
  - C. **TEXT AMENDMENT: 102-338, D) PERMITTED USES, 6) EAST RIVERSIDE FRONTAGE.**
  - D. **TEXT AMENDMENT: 102-338, H) DEVELOPMENT GUIDELINES AND STANDARDS, 1) BUILDING DESIGN, A) EXTERIOR BUILDING MATERIALS.**
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

*At this time, it is the intent to hold the Zoning Board of Appeals meeting in person, however, if further Covid mitigation restrictions are put in place, the meeting will be conducted as a virtual meeting viewable at [cityoflovespark.com](http://cityoflovespark.com) or the City's [Facebook](#) account.*

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS  
THURSDAY, DECEMBER 17, 2020  
5:30 P.M.**

**Virtual Meeting held at [www.cityoflovespark.com](http://www.cityoflovespark.com)**

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

MEMBERS PRESENT: ALISE HOWLETT, DENNIS HENDRICKS, SHAWN NOVAK,  
LYNDI TOO HILL, CATHY NELSON  
BEN DANIELSON, MIKE OWENS

OTHERS PRESENT: ANDREW QUINTANILLA – ZONING OFFICER  
ATTORNEY PHIL NICOLosi  
SHEILA MILLS - SECRETARY

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting held November 19, 2020.  
Second by Mrs. Novak. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

4. UNFINISHED BUSINESS

Items A. thru E. were discussed together and voted on separately.

- A. **5767 WHISPERING WAY – VARIANCE FROM A REQUIRED 14,600 SQ-FT LOT SIZE TO A REQUESTED 13,192 SQ-FT LOT IN THE R3A ZONING DISTRICT.** Appropriate notice has been given.

Elisa Whitman, 6801 Spring Creek Road, Rockford, IL was sworn in as Petitioner. Ms. Whitman indicated that the structure on this property (Lot 2) was originally built in 1996 and was inadvertently built on a portion of 5733 Whispering Way (Lot 3) and she is requesting Variances to correct the boundaries for Lot 2 and Lot 3.

No objectors present.

Mr. Owens moved to approve a Variance from a required 14,600 sq-ft lot size to a requested 13,192 sq-ft lot in the R3A Zoning District for the property known as 5767 Whispering Way. Second by Mrs. Novak. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 6-0**

- B. 5767 WHISPERING WAY – VARIANCE FROM A REQUIRED 6 FT SIDE YARD SETBACK TO A REQUESTED 5 FT. 4 IN SIDE YARD SETBACK IN THE R3A ZONING DISTRICT.** Appropriate notice has been given.

No objectors present.

Mr. Owens moved to approve a Variance from a required 6-ft side yard setback to a requested 5 ft. 4 in. side yard setback in the R3A Zoning District for the property known as 5767 Whispering Way. 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**

- C. 5733 WHISPERING WAY – VARIANCE FROM A REQUIRED 14,600 SQ-FT LOT SIZE TO A REQUESTED 12,222 SQ-FT LOT SIZE IN THE R3A ZONING DISTRICT.** Appropriate notice has been given.

No objectors present.

Mrs. Nelson moved to approve a Variance from a required 14,600 sq-ft lot size to a requested 12,222 sq-ft lot size in the R3A Zoning District for the property known as 5733 Whispering Way. Second by Mr. Owens. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 6-0**

- D. 5733 WHISPERING WAY – VARIANCE FROM A REQUIRED 6 FT SIDE YARD SETBACK TO A REQUESTED 5 FT 4 IN SIDE YARD SETBACK IN THE R3A ZONING DISTRICT.** Appropriate notice has been given.

No objectors present.

Mrs. Nelson moved to approve a Variance from a required 6-ft side yard setback to a requested 5-ft 4-in side yard setback in the R3A Zoning District for the property known as 5733 Whispering Way. Second by Mr. Hendricks. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 6-0**

- E. 5733 WHISPERING WAY – VARIANCE FROM A REQUIRED 80 FT LOT WIDTH AT THE BUILDING SETBACK LINE TO A REQUESTED 53 FT 8 IN LOT WIDTH AT THE BUILDING SETBACK LINE IN THE R3A ZONING DISTRICT.** Appropriate notice has been given.

No objectors present.

Mrs. Nelson moved to approve a Variance from a required 80-ft lot width at the building setback line to a requested 53-ft 8-in lot width at the building setback line in the R3A Zoning District for the property known as 5733 Whispering Way. Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

**MOTION APPROVED 6-0**

5. NEW BUSINESS

None

6. PUBLIC PARTICIPATION AND COMMENT

None

7. General Discussion

None

Mrs. Nelson moved that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by voice vote. The meeting adjourned at 5:50 p.m.

Sheila Mills, Secretary



## ZONING BOARD OF APPEALS

### Community Development Department

Date: February 2, 2021

**SUBJECT:** A Zoning Map Amendment from the CG (Commercial General) Zoning District to the R1 (Single Family Residential) Zoning District.

**LOCATION:** 507 Boylston Street

**ZONING DISTRICT:**

North	CG (Commercial General)
South	R1 (Single Family)
East	CG (Commercial General)
West	CG (Commercial General)

**PROPERTY INFORMATION:** Property owner would like to re-zone the property back to a single family residence to eliminate the legal non-conforming status, which prevents the owner from expanding the residence, and is restrictive for future homeowners that may wish to purchase the property and utilize it as a residence.

Requirements for R1:

Front building setback:	30 feet
Rear building setback:	30 feet
Side building setback:	6 feet
Lot size requirements:	8,500 square feet
Established width at setback line:	80 feet

Provided:

Established width at setback line:	48 feet
Lot size	7,054 square feet

Lot widths and dimensions are pre-existing. No additional zoning is required.

**RECOMMENDATION:** **Approval** - A Zoning Map Amendment from the CG (Commercial General) Zoning District to the R1 (Single Family Residential) Zoning District.

**ATTACHMENTS:** See attachments

**ZONING BOARD RECOMMENDATIONS:** APPROVAL / DENIAL / TABLED

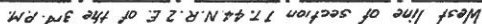
Vote: \_\_\_\_\_

**CONDITIONS:** AS PRESENTED / AMENDED / N/A

**AUDIENCE COMMENTS:**



SCALE 1 IN. = 100 FT.







WIN  GIS  
Winnebago County Geographic Information System





0                      62.5                      125

Feet

**WIN GIS**  
Winnebago County Geographic Information System





## ZONING BOARD OF APPEALS

### Community Development Department

Date: February 8, 2021

**SUBJECT:** Section 102-338 East Riverside/I-90 Overlay District, d) Permitted Uses, 6) East Riverside Frontage

Section 102-338 East Riverside/I-90 Overlay District, h) Development Guideline and Standards, 1) Building Design, a) Exterior Building Materials

**RECOMMENDATION:** Amend uses and materials within the East Riverside/I-90 Overlay District.  
**Approval:** Section 102-338 East Riverside/I-90 Overlay District, d) Permitted Uses, 6) East Riverside Frontage

**RECOMMENDATION:** **Approval:** Section 102-338 East Riverside/I-90 Overlay District, h) Development Guideline and Standards, 1) Building Design, a) Exterior Building Materials

**ATTACHMENTS:** See attachments

**ZONING BOARD RECOMMENDATIONS:** APPROVAL / DENIAL / TABLED

Vote: \_\_\_\_\_

**CONDITIONS:** AS PRESENTED / AMENDED / N/A

**AUDIENCE  
COMMENTS:**

Text Amendment of the Loves Park Zoning Ordinance as follows:

**Remove Section 102-338 East Riverside/I-90 Overlay District, d) Permitted Uses, 6) East Riverside Frontage.**

Section 102-338 East Riverside/I-90 Overlay District, d) Permitted Uses, 6) East Riverside Frontage currently reads as follows:

*Any development fronting or adjacent to East Riverside Boulevard must be a permitted commercial retail use not requiring a special use permit. Mixed use development shall be allowed if the gross floor space at ground level consists of not more than 20% non-commercial retail use.*

The Comprehensive Plan for the City of Loves Park identifies the future land-uses for the City. The future land-use designation along the East Riverside Boulevard corridor, within the East Riverside/I-90 Overlay District, has been identified as **General-Commercial**. The goal for the **General-Commercial** future land-use is to *provide for those commercial uses and activities which are dependent on convenient vehicular access*. Examples of the range of uses in **General-Commercial**: Supermarkets, drug stores, restaurants, fast food restaurants, hotels, gas stations, banks, offices (real-estate, financial, dental, medical). Many of the listed uses require special-use permits in the commercial-retail zoning district.

Removing this section will allow uses that require a special-use permit, in the commercial-retail district, to be located along the portions of East Riverside Boulevard located within the East Riverside/I-90 Overlay District.



Text Amendment of the Loves Park Zoning Ordinance as follows:

**Amend Section 102-338 East Riverside/I-90 Overlay District, h) Development Guidelines and Standards, 1) Building Design, a) Exterior Building Materials** to read as follows:

**Approved Exterior Materials:** High-Impact stucco or EIFS (90-150 inches-pound) may be used on 100% of any side of a building not visible from the public right-of-way. High-Impact stucco or EIFS may not exceed 30% of any wall area, above first story (6 feet above grade), visible from the public right-of-way.

**Not Approved Exterior Materials:** Stucco or EIFS may not be used on the first story (6 feet above grade) of a building that is visible from the public right-of-way.