



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
May 20, 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 **April 15, 2021** meeting
3. Report from the Zoning Office - None
4. Unfinished business –
5. New business –
 - A. **8400 E. RIVERSIDE BOULEVARD (12-01-176-018, 12-01-176-019 & 12-01-176-022)** –
A Zoning Map Amendment from the IL (Light Industrial) and E. Riverside / I90 Overlay Zoning District to the CR (Commercial Retail) and E. Riverside / I90 Overlay Zoning District.
 - B. **TEXT AMENDMENT** – Section 102-337, (d), Review Required.
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 15, 2021
5:30 P.M.
COUNCIL CHAMBERS

1. CHAIRMAN ALISE HOWLETT CALLED THE MEETING TO ORDER AT 5:31 P.M.

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

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

2. MINUTES

Mr. Owens moved to approve the minutes from the meeting March 18, 2021. Second
by Mr. Hendricks. Motion carried by voice vote.

3. ZONING OFFICE REPORT

None

4. UNFINISHED BUSINESS

- A. **5400 & 5312 N. SECOND STREET** – Special Use Permit for a commercial vehicle sales establishment in the Commercial Retail and N. Second Street Overlay District.

Mr. Quintanilla indicated that the petitioner has withdrawn the application.

5. NEW BUSINESS

- A. **8185 COMMERCE DRIVE** – Special Use Permit for an indoor baseball and softball academy with battling cages in the IL and E. Riverside/I90 Overlay Zoning Districts. Appropriate notice has been given.

Brenda Ewing, 9611 Brenda Drive, Roscoe, Illinois was sworn in as Petitioner and indicated that he is requesting a Special Use Permit for an open to the public indoor baseball/softball academy with batting cages.

No objectors present.

Mr. Owens moved to approve a Special Use Permit for an indoor baseball and softball academy with battling cages for the property known as 8185 Commerce Drive in the IL and E. Riverside/I90 Overlay Zoning Districts, with the following conditions:

1. Special Use Permit shall expire with the discontinuance of the use of the indoor batting cage establishment.
2. The Special Use Permit shall be renewed 1 year from the date of approval.

3. Planters shall be installed across the openings of both loading docks. The planters shall be filled with live plants, and be maintained by the business owner. The business owner shall with staff for the installation to be completed before the business opens to the public.
4. A dumpster enclosure shall be provided to conceal the dumpsters. The location shall be coordinated with staff.

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

MOTION APPROVED 4-0

- B. 5615 JENSEN DRIVE** – Variance from a required 5-ft. side yard setback to a requested 0-ft. side yard setback for a new addition in the CG Zoning District. Appropriate notice has been given.

Peter Avramopoulos, 3820 Guilford Road, Rockford IL 61107 was sworn in as Petitioner and indicated that he is requesting a Variance so he can add on to an existing structure at the property.

No objectors present.

Mr. Owens moved to approve a Variance from a 5-ft. side yard setback to a requested 0-ft. side yard setback for a new addition in the CG Zoning District for the property known as 5615 Jensen Drive. Second by Mrs. Toohill. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 4-0

6. PUBLIC PARTICIPATION AND COMMENT

Peter Avramopoulos commented that he supports the petition presented earlier for the indoor baseball/softball and batting cage academy and thinks it will be good for the community.

7. General Discussion

None

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

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

Date: May 6, 2021

SUBJECT:	A Zoning Map Amendment from the IL (Light Industrial) & E. Riverside/I90 Overlay Zoning District to the CR (Commercial Retail) and E. Riverside/I90 Overlay Zoning District.	
LOCATION:	8400 E. Riverside Boulevard - 12-01-176-018, 12-01-176-019, & 12-01-176-022	
COMPREHENSIVE PLAN:	General commercial development	
ZONING DISTRICT:	North	CR (Commercial Retail)
	South	C3 (Commercial) Rockford
	East	IL (Light Industrial)
	West	IL (Light Industrial)
PROPERTY INFORMATION:	The property is zoned for light industrial uses. The Zoning Map Amendment will establish the zoning district and uses permitted in the CR (Commercial Retail) and E. Riverside/I90 Overlay.	
Required:	Front building setback:	30 feet
	Rear building setback:	20 feet
	Side building setback:	5 feet
Provided:	Front building setback:	30 + feet
	Rear building setback:	20 + feet
	Side building setback:	5 + feet
	<p>The proposed amendment is not going to adversely impact the development of the area or of the plan adopted by the city council. Cultivation of the area, has included a number of commercial uses over the years. It appears that the amendment is in line with how the zoning district has begun to develop. The character of the development for uses and structures shall all be subject to the guidelines for approval by the Overlay Review Board (ORB). All additions to existing structures or remodeling of existing structures shall comply and be subject to the limitations in the ordinance. The amendment is not likely to create an overcrowding of land or establishment of undue stress in the zoning district. Overlay review standards, already established, shall prevent incompatible construction of structures through the review process. The map amendment will not adversely impact the overall comfort and peace of the people or uses established in the zoning district. The map amendment will compliment the existing and future land uses for this area.</p>	
RECOMMENDATION:	<p>Approval A Zoning Map Amendment from the IL (Light Industrial) & E. Riverside/I90 Overlay Zoning District to the CR (Commercial Retail) and E. Riverside/I90 Overlay Zoning</p>	

District.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

**AUDIENCE
COMMENTS:**



Property Address: 8400 E. Riverside Boulevard

Parcel Number: 12-01-176-018, 12-01-176-019, & 12-01-176-022

Applicant: Skyland Corp
4805 Interstate Boulevard
Loves Park, Illinois 61111

Owner: Skyland Corp
4805 Interstate Boulevard
Loves Park, Illinois 61111

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 considered before a petition for a map amendment 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.

Location: 8400 E. Riverside Boulevard

ZBA

- 1 _____ The proposed amendment would not interfere with the policies and proposals of the city area comprehensive plan adopted by the city council.

Reason:

- 2 _____ The proposed amendment would be consistent with the framework the city has cultivated to continue city development in a very orderly manner.

Reason:

- 3 _____ The proposed amendment would not permit uses, buildings, or structures incompatible with the character of development or intended uses within specified zoning districts.

Reason:

- 4 _____ Any additions, alterations, or remodeling of existing buildings or structures would not be modeled in such a way as to avoid the restrictions and limitations imposed on the ordinance.

Reason:

- 5 _____ The proposed amendment would not promote the overcrowding of land and undue construction of structure.

Reason: _____

- 6 _____ The public health, safety, morals, comfort, peace, and general welfare of the people would be promoted as a result of the proposed amendment.

Reason: _____

- 7 _____ The risk of bodily harm to a person or damage to personal property or chattels by fire, explosion, toxic fumes and other hazards would not become more likely as a result of the proposed amendment.

Reason: _____

- 8 _____ The proposed amendment would not encourage the prevention of incompatible uses or nuisances.

Reason: _____

These findings are based on staff interpretation of the required findings necessary for approval of a variation. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a variation.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: ZMA - IL(E.RIVERSIDE I90 OVERLAY) to CR (E. RIVERSIDE I90 OVERLAY)
12-01-176-018, 12-01-176-019, AND 12-01-176-022

Chairman
Alise Howlett

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: May 11, 2021

SUBJECT: Chapter 102, Section 102-337, (D), Review Required

Existing:

Require the Overlay Review Board to review and approve conformity with the standards in the zoning district and in the overlay districts.

**Proposed
Amendment to
include highlighted**

(d) Review required. Review and approval shall be required for: All new mixed-use and commercial development; a site access plan, that shall be included as part of the site plan and approved by the city and the state department of transportation; additions, alterations and improvements, other than ordinary repair or maintenance to existing structures, signs and sites located within the North Second Street Overlay District. The Zoning Board of Appeals and the Community Development Committee will conduct review and approval for conformance of submitted projects.

(d) Review required. Review and approval shall be required for: All new mixed-use and commercial development; a site access plan, that shall be included as part of the site plan and approved by the city and the state department of transportation; additions, alterations and improvements, other than ordinary repair or maintenance to existing structures, signs and sites located within the North Second Street Overlay District. The Zoning Board of Appeals and the Community Development Committee will conduct review and approval for conformance of submitted projects.

The overlay review board will conduct review and approval for conformance of submitted projects. Any projects requesting a variance will be reviewed by the overlay review board and the community development committee. Any projects requesting a special use permit will be reviewed by the zoning board of appeals and community development committee.

Recommendation:

Approval - Text Amendment, Section 102-337, (d) Review Required.
Amend to include:

The overlay review board will conduct review and approval for conformance of submitted projects. Any projects requesting a variance will be reviewed by the overlay review board and the community development committee. Any projects requesting a special use permit will be reviewed by the zoning board of appeals and community development committee.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS**

VOTE:

APPROVAL:

DENIAL:

TABLED:

CONDITIONS:

**AUDIENCE
COMMENTS:**