



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
September 16, 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 **August 19, 2021** meeting
3. Report from the Zoning Office - None
4. Unfinished business – None
5. New business –
 - A. **6312 SPRUCE STREET** – A Variance to install an auxiliary parking pad in front of the existing garage and alongside of the existing driveway in the R1 (Single Family Residential) Zoning District.
 - B. **5100 N. MULFORD ROAD** – A Special Use Permit to allow self-storage buildings in the CR (Commercial Retail) Zoning District.
 - C. **1616 WINDSOR ROAD** (08-32-351-003 & 08-32-351-004) – A Special Use Permit for outdoor storage in conjunction with a metal recycling business.
 - D. **TEXT AMENDMENT** – Chapter 102, Article III, Districts, Section 102-132, Site Area and Dimensions; Requirements and exceptions, (G) Refuse and recyclable materials storage areas.
 - E. **TENTATIVE PLAT – KINGS ACRES / BRECKENRIDE REMAINDER**
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, AUGUST 19, 2021
5:30 P.M.
COUNCIL CHAMBERS

1. CHAIRMAN MIKE OWENS CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: MIKE OWENS, LYNDI TOO HILL, BEN DANIELSON,
JASON VANDIVER, CATHY NELSON, TINO RIVERA

MEMBERS ABSENT: LUKE CARLSON

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

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meeting July 15, 2021. Second by Mrs. Toohill. Motion carried by voice vote.

3. ZONING OFFICE REPORT

Mr. Quintanilla corrected two errors on the Agenda; Item A. change "pat" to "pad" and in Item B. change 5872 to 5870.

4. UNFINISHED BUSINESS

5. NEW BUSINESS

- A. **4802 ILLINOIS STREET** – Variance to establish an auxiliary parking pad in front of and alongside of the existing driveway in the R1 Zoning District. Appropriate notice has been given.

Shannon Schroeder, 4802 Illinois Street, Loves Park, IL was sworn in as Petitioner and she indicated that they are requesting a Variance for a parking pad in front of and alongside the existing driveway to allow for a handicap vehicle for a handicap person that will reside at the residence part time.

No objectors present

Mrs. Nelson moved to approve a Variance to establish an auxiliary parking pad in front of and alongside of the existing driveway in the R1 Zoning District for the property known as 5319 Bennett Street, with the condition that the approval of the Variance shall only permit improvements on private property and the auxiliary pad shall taper 5-ft from the property line to meet the existing driveway. 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. 5870 E. RIVERSIDE BLVD – Special Use Permit for an oil change service establishment in the CR Zoning District.

Mark Huonder, Fort Worth, Texas was sworn in as Petitioner and he indicated that he is requesting a Variance for an oil change business that allows the customer to remain in their vehicle while being serviced.

Mrs. Nelson commented for the record that the property will be replatted and that the Final Plat of the property is still in process.

No objectors present.

Mr. Danielson moved to approve a Special Use Permit for an oil change service establishment in the CR Zoning District for the property known as 5870 E. Riverside Blvd., with the following conditions:

1. The Special Use Permit shall expire with the change in business use.
2. The applicant shall extend the landscape berm to the west property line. The berm shall not be required to extend to the eastern property line. The small section can mirror the established curb installed by the carwash to the east. Six additional trees that grow to height of 20-ft or more when matured shall also be installed. The trees shall be some combination of Maple, Oak, or Elm tree and be situated in proximity to the development. Additionally, the business or landowner shall be responsible for the maintenance, repair, and replacement of all landscaping materials. Plant materials in landscape bed area shall be maintained in a healthy growing condition, free from refuge, debris, and weeds at all times.
3. The tree line along the western property line shall not be completely removed. A buffer shall remain between the residence and the business.
4. All business signage shall meet the requirements of Article VI, Section 102-284.
5. The dumpster enclosure shall be constructed of masonry on three sides, with a site-obscuring gate. The use of chain link and vinyl slats shall not be permitted.

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

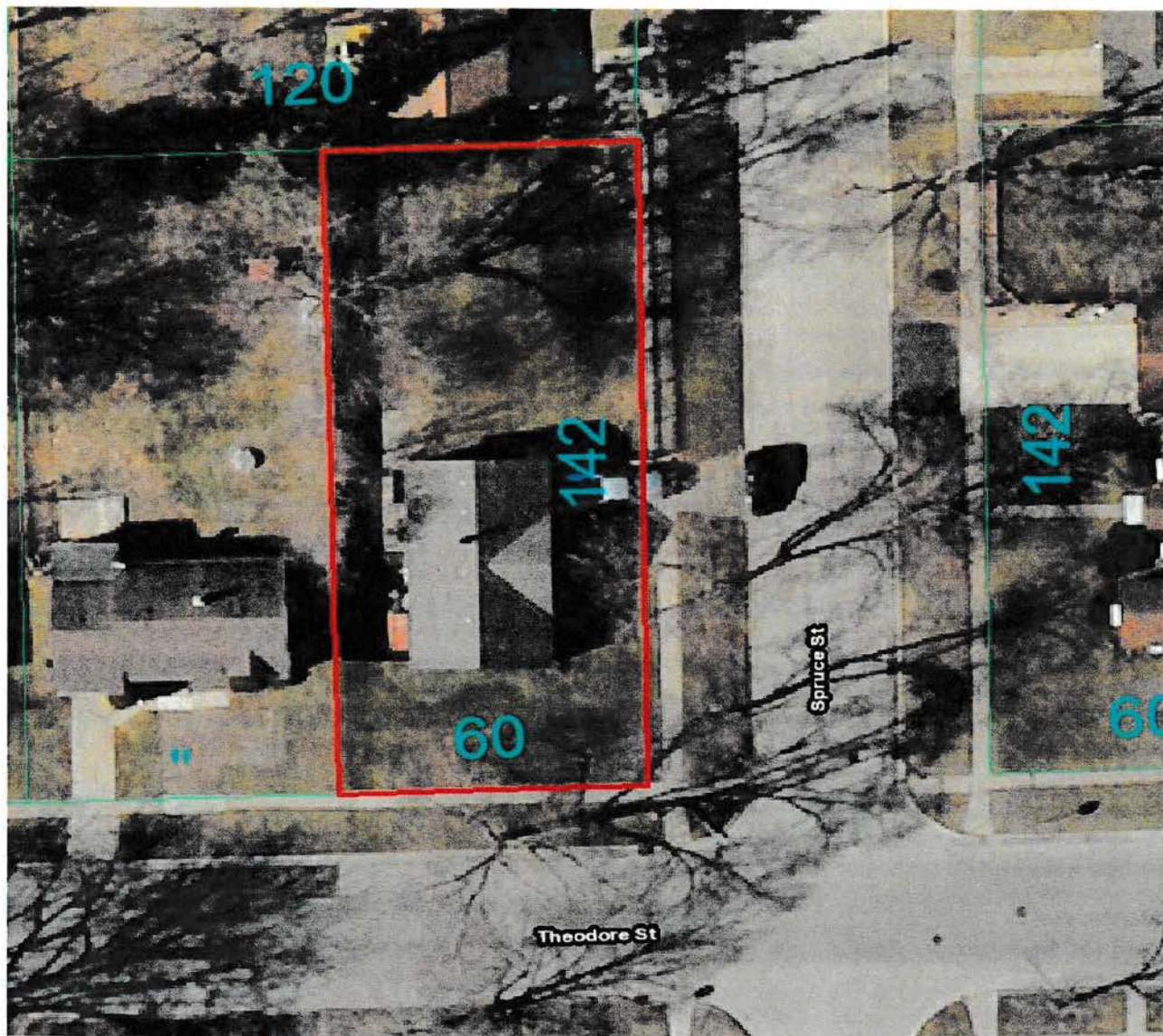
7. General Discussion

None

Mrs. Nelson moved that the meeting be adjourned. Second by Mrs. Toohill. Motion carried by voice vote. The meeting adjourned at 5:54 p.m.

Sheila Mills, Secretary

6312 Spruce Street – Supporting Documents



ADDRESS: 6312 Spruce Street

PARCEL: 12-06-127-011

PETITIONER: Kevin Moore
6312 Spruce Street
Loves Park, Illinois 61111

PETITIONER: Kevin Moore
6312 Spruce Street
Loves Park, Illinois 61111

N →

Property Line



Patio

(F) Brick Pavers patio



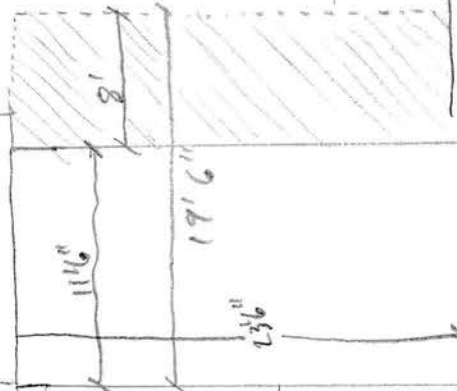
(Garage)

House 6 1/2

Flowers

Flower

Flowers



fence

6'4"

72'6"

SIDEWALK



Street Light

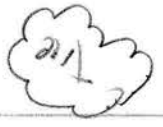
15'6"

10

Property Line

SPRUCE STREET

Theodore Street





ZONING BOARD OF APPEALS

Community Development Department

Date: September 2, 2021

SUBJECT: A Variance to establish an auxiliary parking pad in front of the existing garage and alongside of the existing driveway in the R1 (Single Family Residential) Zoning District.

LOCATION: 6312 Spruce Street

COMPREHENSIVE PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of dense residential development.

ZONING DISTRICT:

North	R1 - Single Family
South	R1 - Single Family
East	R1 - Single Family
West	R1 - Single Family

PROPERTY INFORMATION AND RELEVANT FACTS:

Single Family Requirements:

Required:

Lot size: 8,500 square feet
Lot width: 80 feet at the established building setback line
Front building setback: 30 feet
Rear building setback: 30

Provided:

Lot size: 8,537 square feet
Lot width: 142 linear feet at the established building setback line on Spruce Street
60 linear feet at the established building setback line on Theodore Street
Corner lot with two front yards
Front building setback: roughly 20 feet
Rear building setback: roughly 15 feet

Strict or literal interpretation of the specified regulation would result in unnecessary physical hardship against the property owner. The property owner has two different building setbacks, two frontages, and rear building setbacks that make it very difficult to meet City standards for building, and exterior improvements. The land owner does have extraordinary circumstances not applicable to other property owners in the same zoning district. Granting the variation will not seem as special privilege for the landowner, as the hardship is grounded in the land and not his personal circumstances. The property owner's land improvements will not adversely impact the public health or welfare of others rights, or properties in the same zoning district.

RECOMMENDATION:	Approval - A Variance to install an auxiliary parking pad in front of the existing garage and alongside of the existing driveway in the R1 (Single Family Residential) Zoning District.
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	APPROVAL / DENIAL / TABLED
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ATTACHMENTS:	See attachments
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ZONING BOARD RECOMMENDATIONS:	
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Vote:	
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AUDIENCE COMMENTS:	
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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 variation 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.

6312 Spruce Street

 ZBA

- 1 - Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter.

Reason:

- 2 - There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties classified in the same zoning district.

Reason:

- 3 - Strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

Reason:

- 4 - The granting of the variation will not constitute a grant of special privilege inconsistent with the limitations on the other properties classified in the same zoning district.

Reason:

- 5 - The granting of the variation will not be detrimental to the public health, safety, welfare or material injurious to properties or improvements in the vicinity.

Reason:

- 6 - _____ The concurring vote of four members of the board shall be necessary to recommend the authorization of any variance in this chapter.
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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.

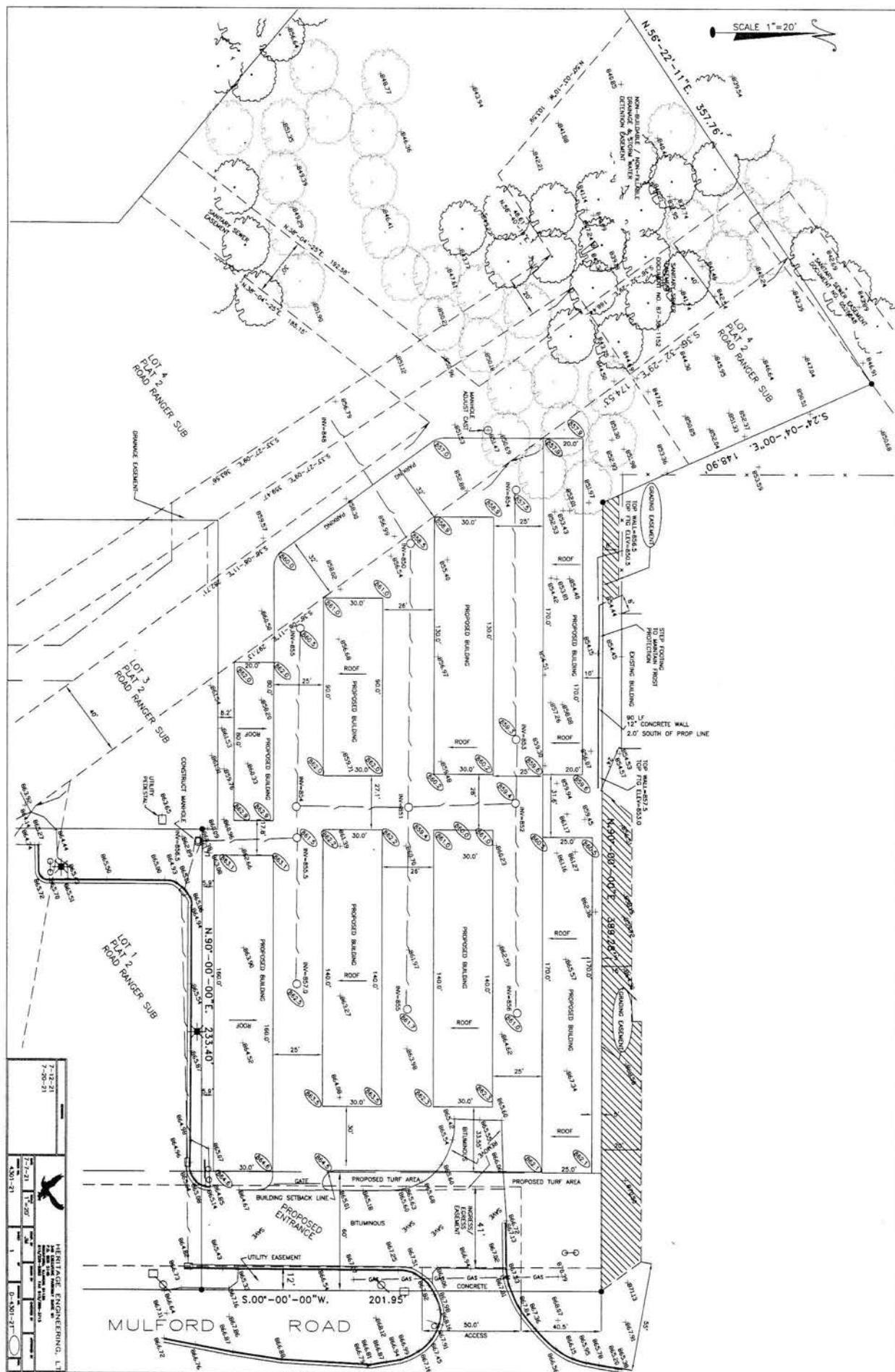
These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: **6312 Spruce Street**
Variance for auxiliary parking pad

Chairman
Michael Owens

Signature

Date

5100 N. Mulford – Supporting Documents



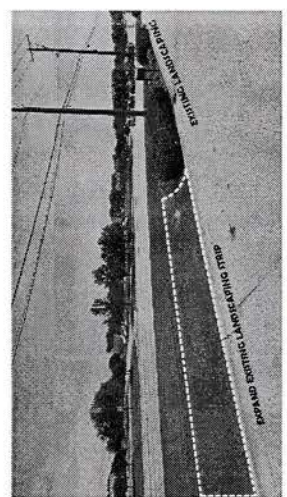
LANDSCAPE CONTRACTOR (CONTRACTOR) SHALL VISIT THE SITE, INSPECT EXISTING CONDITIONS AND REVIEW PROPOSED PLANTINGS AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES.

- [illegible]

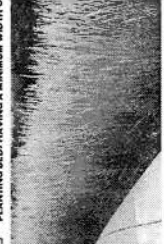
NOTE: ALL LANDSCAPE STRIPS SHALL BE ROOTED WITHIN PLANTING BEDS HAVING A MINIMUM WIDTH OF 3'-6"

NAME	SYMBOL	QTY.	SIZE
DENSE VIEW	DV	24	36"
KARL FOERSTER GRASES	KF	40	
DWARF FOUNTAIN GRASSES	DF	30	

PLANT LIST



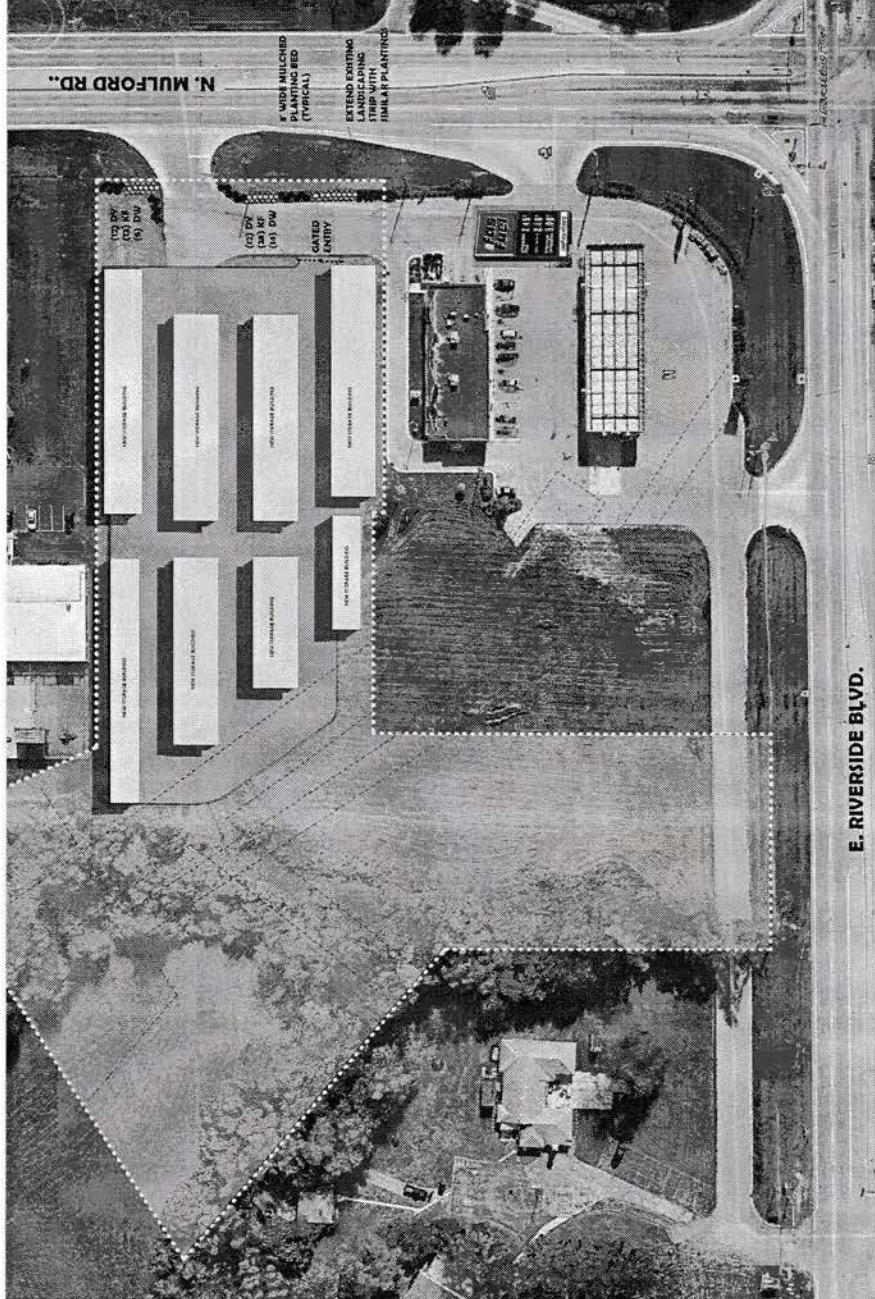
DV - DENISE VEW



MF - KARL FOERSTER GRAJES



DF - DWARF FOUNTAIN GRASSIE



E. RIVERSIDE BLVD.


LANDSCAPING PLAN - LOVES PARK SELF - STORAGE FACILITY

SCALE: 1" = 40'-0"

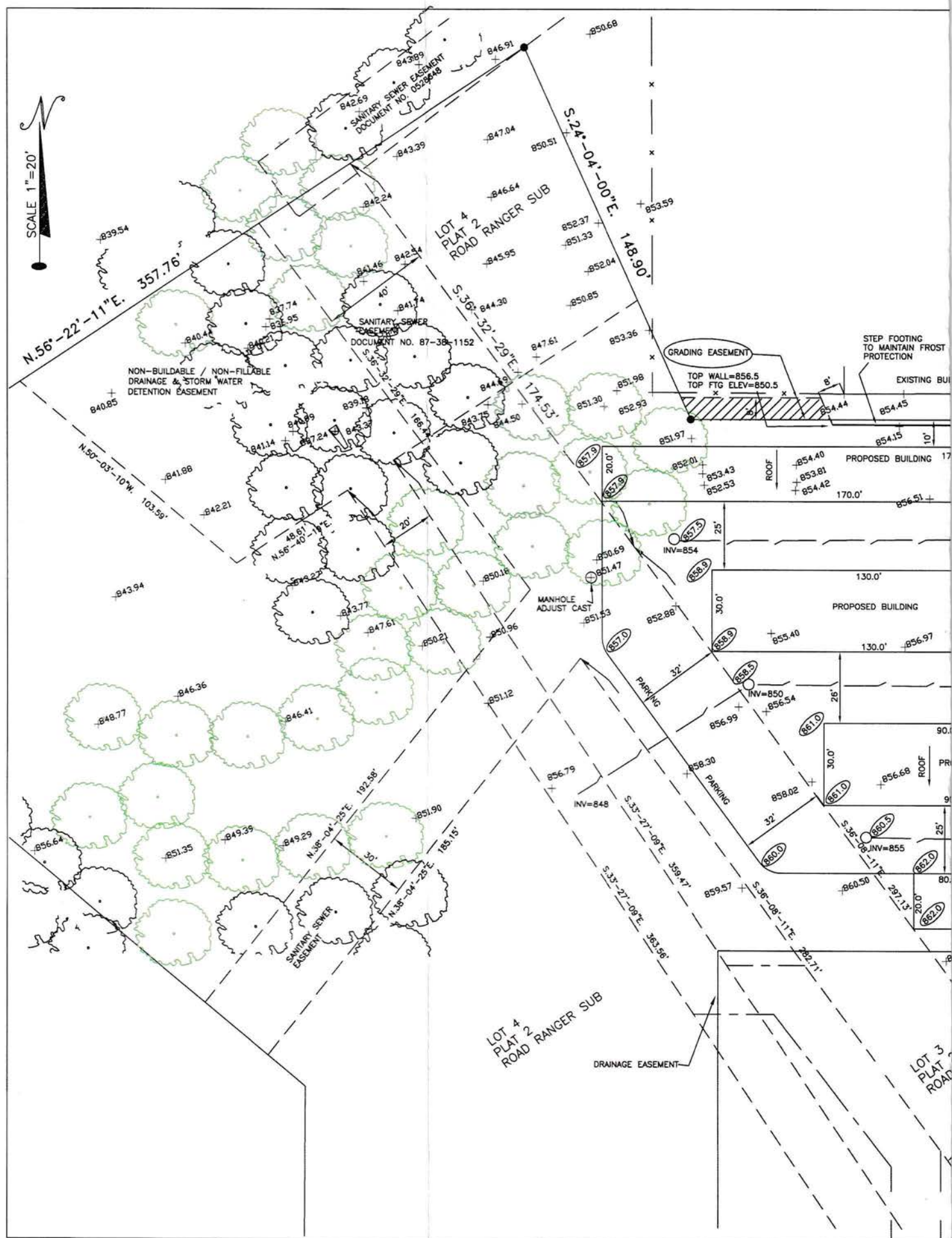
Helmuth Redschlag - Architect
636 Garfield Avenue
Rockford, Illinois 61103
815 - 262 - 6270
hmr13600@ibcglobal.net

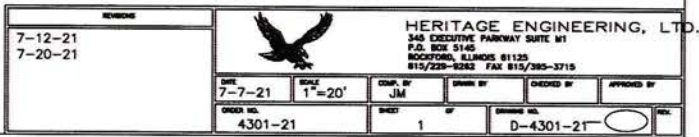


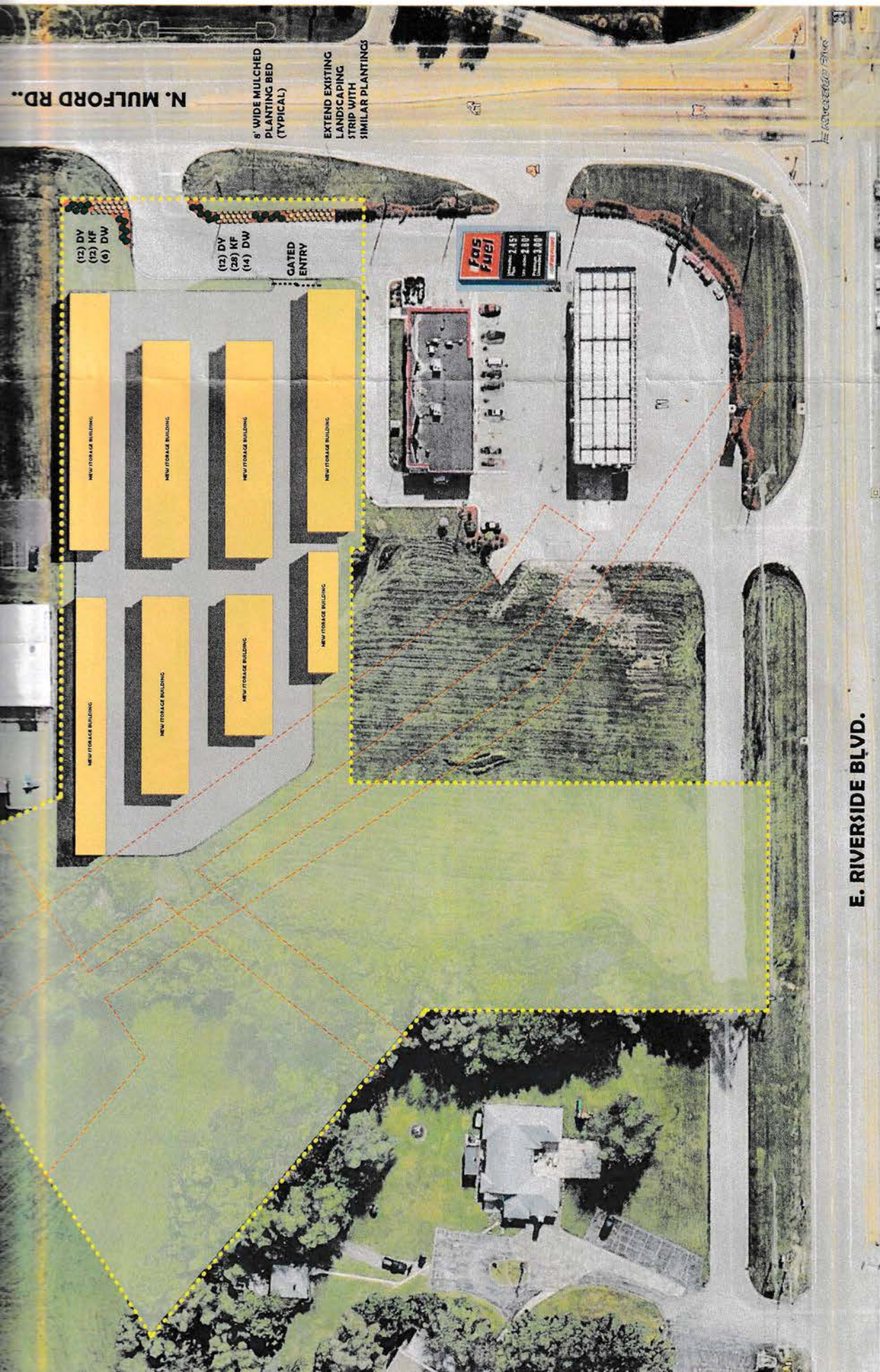
LANDSCAPING PLAN - LOVES PARK SELF-STORAGE

DATE: 08.11.21		Project number	Date
<div style="text-align: center;"> A2.0 of </div>		Issue As indicated	
DATE: 08.11.21		EXPIRES: 11.30.23	

REV 02/11/91/2021/9







N. MULFORD RD.

8' WIDE MULCHED
PLANTING BED
(TYPICAL)

EXTEND EXISTING
LANDSCAPING
STRIP WITH
SIMILAR PLANTINGS

(12) DV
(12) KF
(6) DW

(12) DV
(28) KF
(4) DW

GATED
ENTRY

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

NEW STORAGE BUILDING

E. RIVERSIDE BLVD.

LANDSCAPING PLAN - LOVES DARK SEIF - STORAGE EACH 11'x11'



NAME	SYMBOL	QTY.	SIZE
DENSE VIEW	DV	24	36"
KARL FOERSTER GRASSES	KF	40	
DWARF FOUNTAIN GRASSES	DF	20	



copyright 2021	Drawn by	1.
	HR	2.
	Checked by	3.
	HR	4.
		5.

Revisions

- 1.
- 2.
- 3.
- 4.
- 5.

Drawn by	HR
Checked by	HR



ZONING BOARD OF APPEALS

Community Development Department

Date: September 7, 2021

SUBJECT: A Special Use Permit to allow self-storage buildings in the CR (Commercial Retail) Zoning District.

LOCATION: 5100 N. Mulford Road

COMPREHENSIVE PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of commercial retail uses.

ZONING DISTRICT:

North	R1 (Single Family)
South	CR (Commercial Retail)
East	CR (Commercial Retail)
West	CR (Commercial Retail)

PROPERTY INFORMATION AND RELEVANT FACTS:

Required:

Building setback: 30 feet
Side yard: 5 feet buildings under 25 feet
Rear yard: 20 feet

Landscaping: An 8 foot deep landscape buffer with a combination of planted trees, shrubs, ground cover, and plants. It shall be curbed or provide some other protective barrier to the passage of vehicles. Trees shall be required to be planted on the interior and exterior of the development based on interior and exterior parking spaces provided. No customer parking stalls will be provided nor striped. Customer loading and unloading is still customer parking, and as such, should require additional landscaping.

Parking: One parking stall for each employee, and one parking stall for each vehicle used in the operations for the business.

Signage: No signage request for this establishment has been made.

Provided:

Building setback: 30 feet
Side yard: various setbacks 5, 5.9, 8.2, and 10 feet
Rear yard: It is not clear on the rear. The site plan does not address how the land will be configured for this development.

Landscaping: low lying landscaping that does not meet all of the standards outlined in the City's code, Section 102-258.

Parking: No building and parking provided. However, all drive space on the interior of

the gate, as indicated on the site plan, will be used for customer parking while loading and unloading.

Signage: No signage identified, no business identified.

RECOMMENDATION: **Approval** - A Special Use Permit to allow self-storage buildings in the CR (Commercial Retail) Zoning District.

Conditions:

1. The mini-warehouse establishment shall not be permitted outside storage.
2. The use of chain link fence shall not be permitted. A decorative rot iron fence shall surround the entire establishment. The fence shall not exceed 6 feet in height. No no barb or razor wire shall be allowed.
3. The property owner shall provide 6 trees that may be a combination of conifer, Maple, Oak, or Elm integrated into the landscape beds and other green space provided on the N. Mulford Road frontage. The land or business owner shall be responsible for the maintenance, repair, and replacement of all landscape materials approved for this petition. The plants, trees, and landscape bed areas shall be maintained in a healthy growing condition, free from refuge, debris and weeds at all times.
4. Permanent and temporary signage shall adhere to the City's code, Article VI, Signs.
5. The development of this self-storage facility shall be substantially consistent with the site plan prepared by Heritage Engineering, dated July 7, 2021.
6. No business activity, other than the rental of storage units, shall be conducted on on the premises. The storage of hazardous, toxic, or explosive substances, including but not limited to hazardous waste, industrial solid waste, medical waste, solid waste, sewage, or used oil is prohibited.
7. Security lighting shall be provided to safely illuminate all areas within the facility. Down-light wall packs shall project light downward and not be a nuisance to adjacent properties.
8. The building materials and colors should be neutral and blend in with the surrounding area. Approval may be obtained through an internal administrative review.
9. A 1 year renewal, from the date of approval, shall be required.

APPROVAL / DENIAL / TABLED

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

**AUDIENCE
COMMENTS:**

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 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.

|5100 N. Mulford 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:

- 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.

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

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals agenda item: **5100 N. Mulford Road**
SUP mini-warehouse storage

Chairman
Mike Owens

Signature

Date



Parcel Number(s): 08-32-351-003 & 08-32-351-004

Address: 1616 Windsor Road

Applicant: Cimco Resources, Inc
1616 Windsor Road
Loves Park, Illinois 61111

Property Owner: Loves Park Properties, LLC
1616 Windsor Road
Loves Park, Illinois 61111

7/26/2021



50 0 50 100 150 FEET



FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
ILLINOIS, IOWA, WISCONSIN
NOT DATE 7/27/21 © 2021 FEHR GRAHAM

CLIENT/DEVELOPER:
CIMCO RESOURCES, INC.
1616 WINDSOR ROAD
LOVES PARK, ILLINOIS 61111

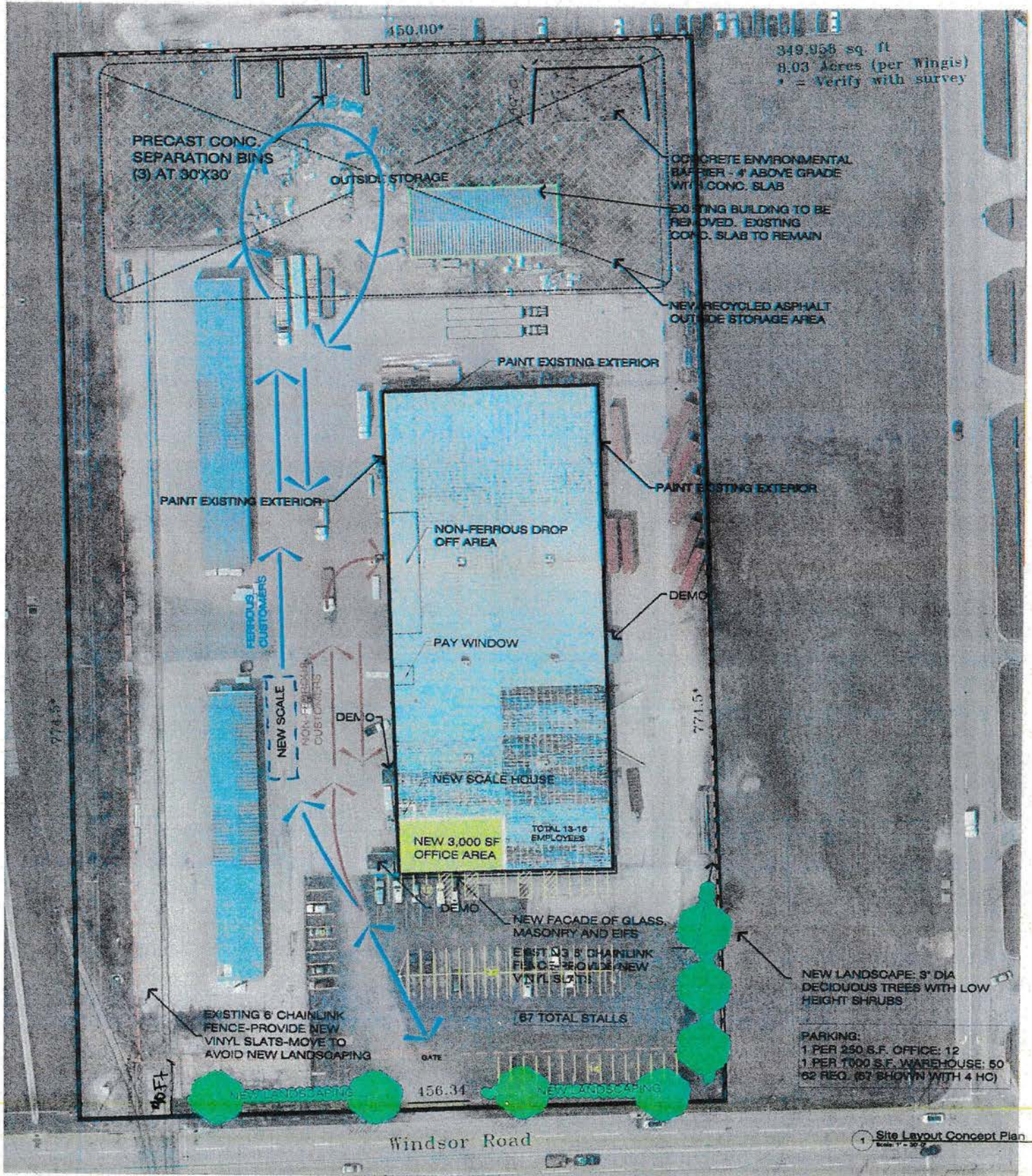
PROJECT AND LOCATION:
1616 WINDSOR ROAD
LOVES PARK, ILLINOIS

DESIGNED BY: JLP
APPROVED BY: DLK
DATE: 06/22/21
SCALE: AS SHOWN

REV	NO	REVISIONS	DATE

DRAWING: EXHIBIT
JOB NUMBER: 21-507
SHEET NUMBER: 1 of 1

ORDINANCE - 3847-12 APPROVED 12-10-2012



450.00'

349,558 sq. ft
8.03 Acres (per Wingis)
* = Verify with survey

PRECAST CONC.
SEPARATION BINS
(3) AT 30'X30'

OUTSIDE STORAGE

CONCRETE ENVIRONMENTAL
BARRIER - 1' ABOVE GRADE
WITH CONC. SLAB

EXISTING BUILDING TO BE
REMOVED. EXISTING
CONC. SLAB TO REMAIN

NEW RECYCLED ASPHALT
OUTSIDE STORAGE AREA

PAINT EXISTING EXTERIOR

NEW O/S AREA
CREATED

NEW O/S
AREA
CREATED

PAINT EXISTING EXTERIOR

NON-FERROUS DROP
OFF AREA

PAY WINDOW

NEW SCALE HOUSE

NEW 3,000 SF
OFFICE AREA

TOTAL 13-16
EMPLOYEES

NEW FACADE OF GLASS,
MASONRY AND EIFS

EXIST 13' 8" CHAINLINK
FENCE-PROVIDE NEW
VINYL SLATS

67 TOTAL STALLS

EXISTING 6' CHAINLINK
FENCE-PROVIDE NEW
VINYL SLATS-MOVE TO
AVOID NEW LANDSCAPING

GATE

NEW LANDSCAPE: 3" DIA
DECIDUOUS TREES WITH LOW
HEIGHT SHRUBS

PARKING:
1 PER 250 S.F. OFFICE: 12
1 PER 1000 S.F. WAREHOUSE: 50
62 REQ. (67 SHOWN WITH 4 HO)

456.34

Windsor Road

Site Layout Concept Plan
Scale: 1" = 30'-0"



ZONING BOARD OF APPEALS

Community Development Department

Date: August 10, 2021

SUBJECT: A Special Use Permit for outdoor storage in conjunction with a metal recycling business in the IL (Light Industrial) Zoning District.

LOCATION: 1616 Windsor Road (08-32-351-003 & 08-32-351-004)

COMPREHENSIVE PLAN: The City of Loves Park Comprehensive Plan identifies the area for the use of light industrial uses.

PROPERTY INFORMATION AND RELEVANT FACTS:

Dumpster Enclosure
Required:

Provisions shall be made for light industrial uses for the temporary storage of refuse, and recyclable materials produced on site.

Provided: No dumpster or enclosure are identified on the site plan.

Landscape
Required:

The applicant is required to provide a mounded landscape buffer across all frontages. The buffer is required to be 8 feet in depth, observing ingress/egress. The landscaping is required to be composed of a combination of trees (including evergreens), shrubs, ground cover, and some combination of live plants. The landscape requirement is intended to soften the aesthetics of the property from increased impervious surfaces such as parking lots. It is also intended to obscure outside storage from public view. The landscape requirement may be achieved with landscaping or a privacy fence, or both.

Provided: The applicant has provided landscaping that does not meet the requirements of Section 102-258, governing landscaping. Much of the existing landscaping is scattered, and not contained in a identifiable landscape bed area as required by code. Many of the trees planted, the Arborvitae, on the Windsor Road and Clinton Road frontage have died or are dying due to improper maintenance. No official landscape plan was submitted with the applicants petition.

Parking

Required: The required parking is 62 parking stalls, of which 2 stalls shall be ADA accessible stalls.

Provided: The site plan does not identify customer and employee parking, or the location of the parking. The site plan does not show how much parking is being provided for this establishment.

Outside storage

Required: All outdoor storage should be screened by a site-obscuring fence or landscaped hedge.

Provided: The applicant has an existing site obscured fence on Windsor Road with limited landscaping. The combination of both does not adequately provide obscurity from existing outside storage. The parcel to the east, on Clinton Road, has a semi-obscured fence with limited landscaping. The combination of both does not adequately provide obscurity from existing outside storage.

The business at this location has expanded the outside storage area that was approved in 2012, Ordinance 3847-12. The site plan provided for precast concrete bins as a means to control the outside storage, but have not been installed (see previously approved site plan). Often the height of the outside storage (metal materials) exceeds 20 feet in height. The outside storage also includes several semis, semis-trailers, and steel shipping containers that hold or transport materials to the site.

Parcel 08-32-351-004, shown on the site plan provided, indicates that a substantial amount of impervious surface will be provided. It is not yet known what impact the increased impervious surface will have on the City's storm sewers. Staff has made this concern known to the applicant. Staff recommended a drainage study to address this issue.

The establishment or operation of the use may have adverse consequences towards the general comfort and welfare of the public. The use is more of a heavy industrial use. Since the inception of the use, Staff has had the opportunity to see how operations occur with this type of establishment. A need for more area for ferrous and non-ferrous metals has become necessary. Materials in all forms have expanded in surface area around the properties, and in height. Staff has verified that outside materials, ferrous and non-ferrous metals, have been stacked to a height of 20 feet, or higher. The applicant has had complaints about operations at the facility. Staff has made the owner aware of this and provided information to the owner so that he could reach out to the appropriate businesses. Operations, as they have been occurring, could have an adverse impact to the area, and negatively impact land values in the district where other light industrial uses do not have the same impact. The conditions presented in the body of the report should help to minimize the impact the use has in the zoning district. There should be careful consideration to reestablishing the special use for this property. Continued operations without safeguards in place to preserve the property, and zoning district could have an adverse impact on existing businesses, and the establishment of future light industrial uses.

RECOMMENDATION: **Approval** - A Special Use Permit to allow outdoor storage in conjunction with a metal recycling business in the IL (Light Industrial) Zoning District.

Conditions:

1. The Special Use Permit expires with the change in business ownership or discontinuance of the metal recycling business.
2. A dumpster enclosure shall be installed. The enclosure shall be constructed of poured concrete or masonry to adequately shield the containers within the enclosure. Material within the enclosure shall not extend above the height of the

- enclosure, be secured by a sold gate, and not exceed a height of 6 feet. The use of wood, chain link and slats shall be prohibited.
3. Outside storage areas shall be contained and not exceed a height of 15 feet at all times. Poured, precast concrete containment bins, shall be installed to control and prevent the migration and spread of outside storage. The storage of semis, semi-trailers, trailers, and metal shipping containers shall only be permitted behind the front plain of the building.
 4. The applicant shall be required to install a continuous 8 foot deep landscape buffer or the Windsor Road and Clinton Road frontages, observing ingress/egress. The landscape buffer shall be mounded a minimum of one foot above the height of the adjacent parking area, but not to exceed a three to one slope. The buffer shall be filled with a variety of trees that will be or grow to a height of 20 feet or higher at maturity. The berm shall include some combination of conifer, Maple, Oak or Elm, and Arborvitae. It shall also include planted shrubs, perennials, and dark mulch. All of the existing arborvitae on both frontages shall be removed, but new trees of the same type may be reinstalled in the new landscape buffer.
 5. The business owner or land owner shall be responsible for the maintenance, repair, and replacement of all landscaping materials. Plant materials, in or out of, landscape beds shall be maintained in a healthy growing condition free from disease, refuge, debris, and weeds at all times.
 6. Parcel 08-32-351-004 shall not be included for any outside storage as part of the approval for the recycling business. This includes, the storage of recycling materials, parking, parking of semis, semi-trailers, or storage containers .
 7. A site plan that shows the required 62 parking stalls for customer and employee parking shall be submitted and approved by Staff within 30 days of approval. The customer and employee parking areas shall be striped
 8. The customer and employee parking shall not be used as a storage area. The area between the front plain of the building and the existing fence line on Windsor Road is required customer and employee parking. Deliveries of ferrous and non ferrous materials shall take place behind the front plain of the building.
 9. The Special Use Permit shall be renewed before utilizing Parcel 08-32-351-004 in conjunction with the metal recycling business.
 10. The Special Use Permit may be revoked with verified complaints from adjacent businesses, land owners, or local authorities.
 11. The entrance on Windsor Road shall be monitored and maintained free of materials and soils that may migrate off of the property. The business owner shall also be responsible for the repair of the approach and curb, as repairs are deemed necessary by the City.
 12. The storage of hazardous, toxic, or explosive substances, including but not limited to hazardous waste, industrial waste, or used oil brought to the site is prohibited. The use of IEPA containers shall be used for the disposal of materials used in the daily operations of the business.

APPROVAL / DENIAL / TABLED

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

**AUDIENCE
COMMENTS:**

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 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.

|1616 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:

- 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.

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

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of appeals agenda item: **1616 Windsor Road**
SUP outdoor storage in conjunction with metal recycling

Chairman
Mike Owens

Signature

Date

Text Amendment of the Loves Park Zoning Ordinance as follows:

Amend: Chapter 102, Article III, Districts, Division 1, Generally, Section 102-132, Site area and dimensions; Requirements and exceptions, (g), refuse and recyclable material storage areas, (1), as follows:

(1) Such storage shall be placed within a building or in an exterior obscured enclosure. For residential uses, such enclosures shall be screened by a solid (wood) fence or wall adequate to shield all containers within the enclosure. Material within the fenced enclosure shall not extend above the height of the fence or wall, be secured by a solid gate, and not exceed the height of 6 feet. Enclosures for commercial and industrial properties and businesses shall be poured concrete or masonry to adequately shield containers within the enclosure. Material within the enclosure shall not extend above the height of the enclosure, be secured by a solid gate, and not exceed a height of 6 feet. The use of chain link fences and slats shall be prohibited in all districts.



Zoning Board of Appeals

Community Development Department

September 16, 2021

SUBJECT: Consider recommending approval of the Tentative Plat of Kings Acres/Breckenridge Remainder	
SYNOPSIS:	The applicant, Charles Thomas, is proposing a 33-lot residential subdivision, including 10.061 acres for open space/public park.
LOCATION:	The proposed subdivision is in Winnebago County, Harlem Township. The subdivision is bound, generally, by McFarland Road to the West, Bell School Road to the East, and Harlem Road to the North.
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the future landuse for the area proposed as low density residential and public open space.
ZONING DISTRICT:	<p>The zoning for the proposed subdivision is R1-single family.</p> <p>R1 (minimums) Lot area (square feet): 8,500 Front Yard Setback (feet): ½ ROW, min 30 Side Yard Setback (feet): 6 Rear Yard Setback (feet): 30</p>
TRAFFIC ACCESS:	The proposed subdivision is adequately served by a local road network of Keri Drive, Golden Eagle Drive, and Vail Drive. The proposed “Sunburst Drive”, formally known as Bunny Hill Run, connects to Vail Drive. Keri Drive is proposed to extend North and connect to McFarland Road, which is considered a major collector, via the proposed “Tami Drive”.
RECOMMENDATIONS:	<p>Staff offers the following comment for recommendation:</p> <p>Staff does not have any recommendations to offer. The proposed subdivision is consistent with the existing single-family subdivision, and meets the minimum standards set-forth by the City’s Code of Ordinances.</p>

ATTACHED: A COPY OF THE TENTATIVE PLAT OF KINGS ACRES/BRECKENRIDGE
REMAINDER

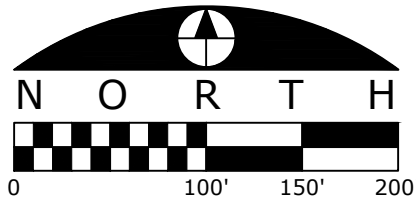
ZONING BOARD OF APPEALS RECOMMENDATION: APPROVAL/DENIAL/TABLED
VOTE:_____

CONDITIONS:

AUDIENCE COMMENTS:

TENTATIVE PLAT OF KINGS ACRES/BRECKENRIDGE REMAINDER

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 45 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN WINNEBAGO COUNTY, ILLINOIS

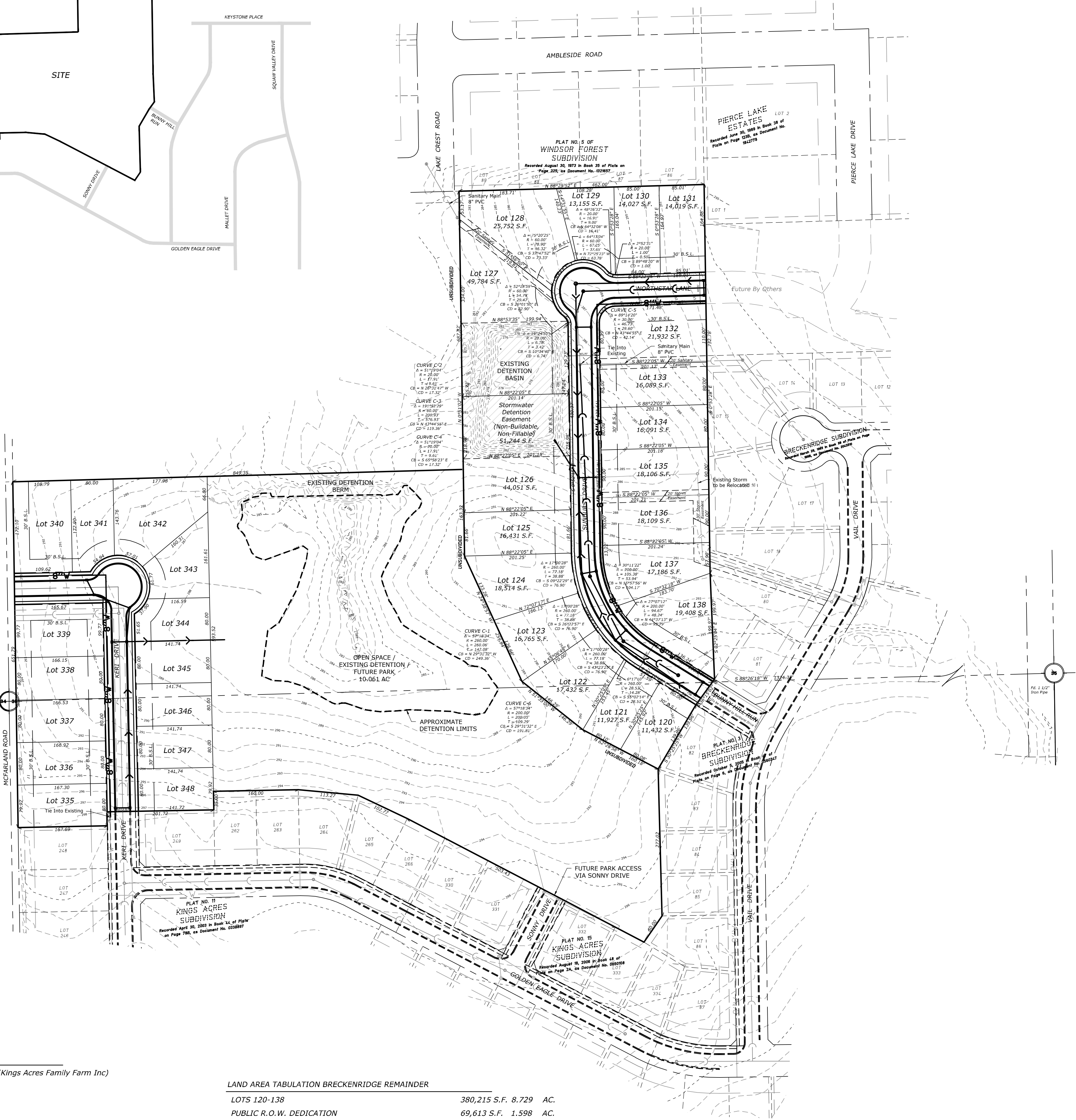
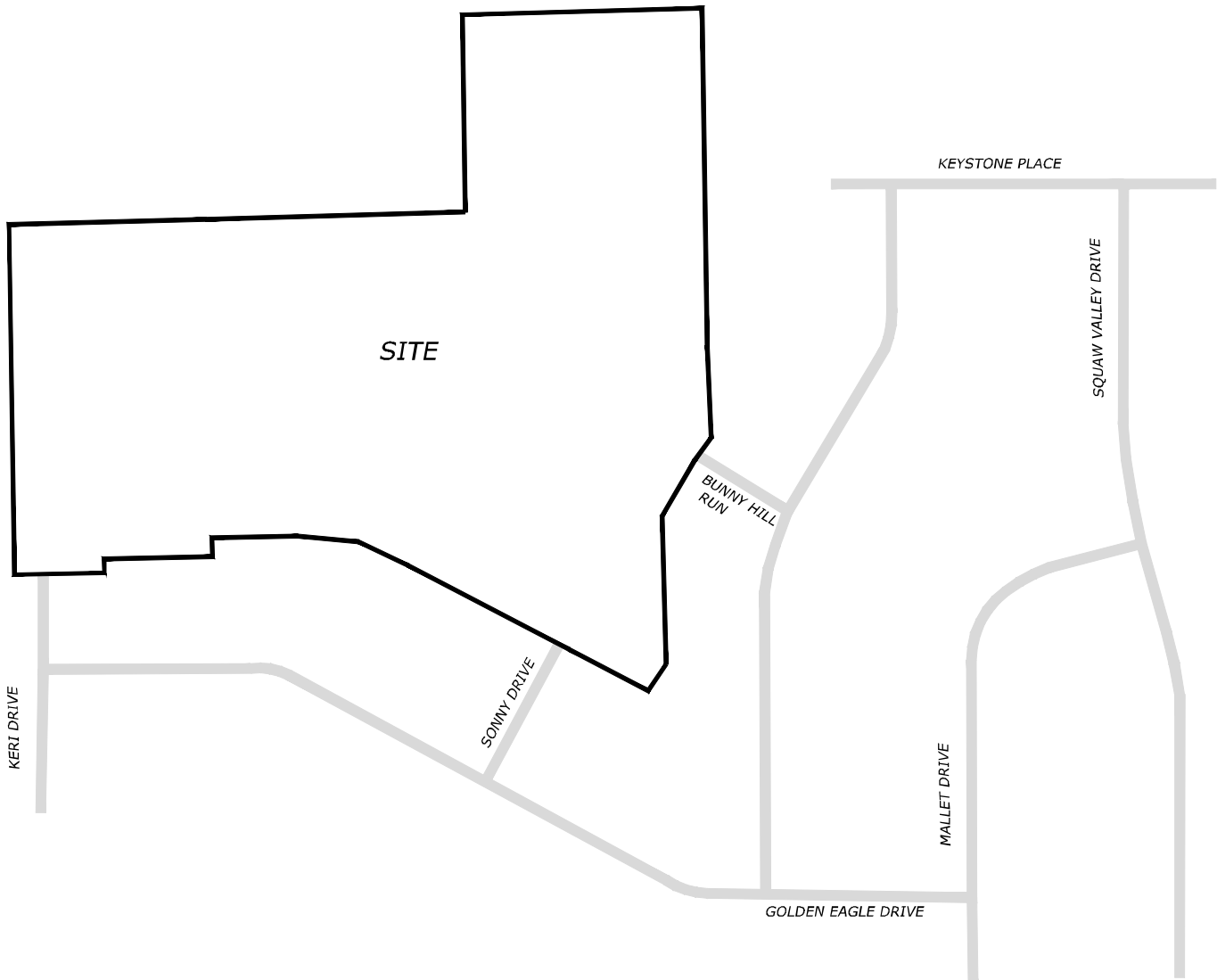


ARC DESIGN
RESOURCES INC.

5291 ZENITH PARKWAY
LOVES PARK, IL 61111
VOICE: (815) 484-4300
FAX: (815) 484-4303

www.arcdesign.com
Design Firm License No. 184-001334

VICINITY MAP (Not to Scale)



OWNER
Charles F Thomas (Kings Acres Family Farm Inc)
P.O. Box 1389
Rockford, IL 61105

STATE OF ILLINOIS)
CITY OF LOVES PARK) ss

Approved by _____ of Zoning Board of

Appeals this _____ day of _____, 20__

NOTES

1. Contour location and elevation data taken from 1994 survey of site using the City of Rockford Local Datum. A new topographic survey of the site will be required for design once the trees are cleared.

2. Currently Zoned R-1

LAND AREA TABULATION BRECKENRIDGE REMAINDER

LOTS 120-138	380,215 S.F. 8.729 AC.
PUBLIC R.O.W. DEDICATION	69,613 S.F. 1.598 AC.
BRECKENRIDGE REMAINDER	TOTAL 449,828 S.F. 10.327 AC.

LAND AREA TABULATION KINGS ACRES REMAINDER

LOTS 335-348	193,729 S.F. 4.447 AC.
PUBLIC R.O.W. DEDICATION	41,285 S.F. 0.947 AC.
OPEN SPACE / NON-BUILDABLE	438,254 S.F. 10.061 AC.
KINGS ACRES REMAINDER	TOTAL 673,268 S.F. 15.455 AC.

