



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
July 21, 2022

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 **June 16, 2022** meeting
3. Report from the Zoning Office – None
4. Unfinished business –
 - A. **1500 and 1502 E. RIVERSIDE BOULEVARD** – A Special Use Permit to allow 28 mini-warehouse storage units with not outside storage in the CG (Commercial General) Zoning District.
 - B. **1500 and 1502 E. RIVERSIDE BOULEVARD** – A Variance from a required 20 foot rear setback to a zero setback in the CG (Commercial General) Zoning District.
 - C. **1500 and 1502 E. RIVERSIDE BOULEVARD** – A Variance from a required 8 foot landscape buffer containing some combination of planted trees, shrubs, and plants to no 8 foot landscape buffer containing planted trees, shrubs, and plants in the CG (Commercial General) Zoning District.
5. New business –
 - A. **7003 N. ALPINE ROAD** – An amendment to a Special Use Permit for an indoor sports facility in the CR (Commercial Retail) Zoning District.
 - B. **7199 CLINTON ROAD** – A Special Use Permit for outside storage in the IL (Light Industrial) and CR (Commercial Retail) Zoning Districts.
 - C. **7170 E. RIVERSIDE BOULEVARD** – A Special Use Permit for a fast food drive-thru establishment in the CR (Commercial Retail) and E. Riverside/I90 Overlay District.
 - D. **6572 STALLION COURT** – A Variance to install an auxiliary parking pad in front of the home and alongside of the garage in the R1 (Single Family Residential) Zoning District.
 - E. **TEXT AMENDMENT** – Chapter 102, Zoning, Article V, Off-street Parking and Loading, Section 102-258, Additional Regulations; Parking, (17), (C)
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, JUNE 16, 2022
5:30 P.M.
COUNCIL CHAMBERS**

1. CHAIRMAN BEN DANIELSON CALLED THE MEETING TO ORDER AT 5:30 P.M.

NO MEETING DUE TO NO QUORUM

MEMBERS PRESENT: CHAIRMAN BEN DANIELSON, MADELEINE STUCKY, CATHY NELSON,

MEMBERS ABSENT: JASON VANDIVER, JOE GIACONE, LUKE CARLSON, LINDY TOOHILL

OTHERS PRESENT: ZONING OFFICER - ANDREW QUINTANILLA,
ATTORNEY PHIL NICOLosi

Sheila Mills, Secretary

**MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, MAY 19, 2022
5:30 P.M.
COUNCIL CHAMBERS**

1. CHAIRMAN BEN DANIELSON CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: CHAIRMAN BEN DANIELSON, MADELEINE STUCKY, JASON VANDIVER, CATHY NELSON, JOSEPH GIACONE, LUKE CARLSON, LYNDI TOO HILL

OTHERS PRESENT: ZONING OFFICER - ANDREW QUINTANILLA,
ATTORNEY PHIL NICOLOSI

Mr. Danielson announced that items considered for recommendation at this meeting will be forwarded to the Community Development Committee meeting on May 31, 2022, at 6:15 p.m.

2. MINUTES

Mrs. Toohill moved to approve the minutes from the meeting March 15, 2022. Second by Mr. Carlson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

Mr. Quintanilla introduced a new member to the Zoning Board of Appeals, Madeleine Stucky.

Ms. Stucky indicated that she works in fundraising and grant writing for NIU and she is originally from Oklahoma City.

4. UNFINISHED BUSINESS

5. NEW BUSINESS

A. 4907 HUMMINGBIRD TRAIL – Variance to install an auxiliary parking pad in the front yard building setback in the R1 Zoning District. Appropriate notice has been given.

Mr. Quintanilla explained that the applicants have requested that the application be withdrawn from the Agenda, and the application will be submitted sometime in the future.

Mrs. Nelson moved to lay over a Variance to install an auxiliary parking pad in the front yard setback in the R1 Zoning District for the property known as 4907 Hummingbird Trail. Second by Mrs. Toohill.

MOTION APPROVED 6-0

Items B, C, and D were discussed and voted on together.

C. 1500 AND 1502 E. RIVERSIDE BLVD. – Variance from a required 20 ft rear setback to a zero setback in the CG Zoning District. Appropriate notice has been given.

D. 1500 AND 1502 E. RIVERSIDE BLVD. – Variance from a required 8 ft landscape buffer containing some combination of planted trees, shrubs, and plants to no 8 ft landscape buffer containing planted trees, shrubs, and plants in the CG Zoning District. Appropriate notice has been given.

B. 1500 AND 1502 E. RIVERSIDE BLVD. – Special Use Permit to allow 28 mini-warehouse storage units with no outside storage in the CG Zoning District. Appropriate notice has been given.

Marvin Keys, 6801 Spring Creek Road, Rockford, IL 61114 was sworn in as Petitioner and indicated that he is seeking a Special Use Permit to allow a 28 mini-warehouse storage unit. He is also seeking a Variance in rear setback and a Variance in a landscape buffer. Mr. Keys stated he would like to lay over the petition so that further discussion can take place with the Mayor and staff.

Mrs. Nelson moved to lay over the above Items B, C, and D, regarding 1500 and 1502 E. Riverside Blvd. Second by Mrs. Stucky.

MOTION APPROVED 6-0

Mr. Quintanilla indicated that a special meeting will be held to consider these items, which is tentatively scheduled for June 6, 2022.

E. TEXT AMENDMENT - Chapter 102, Article VI, Signs, Section 102-282, (m), (5), adding square footage for political signs. Appropriate notice has been given.

Mr. Quintanilla indicated that this text amendment will address the square footage of political signs in the Code of Ordinances.

Mrs. Nelson moved to approve a text amendment for Chapter 102, Article VI, Signs, Section 102-282, (m), (5), adding square footage for political signs, noting that square footage is measured on all faces of the sign and sign may not be placed on public right of ways or private property with the consent of the owner. Second by Mrs. Toohill.

MOTION APPROVED 5-0

F. TEXT AMENDMENT – Chapter 102, Article V, Off-street Parking and Loading, Section 102-258, Additional regulations; parking, (13), for uses in a residential district.

Mr. Quintanilla indicated that this text amendment will address driveways that are built with gravel.

Mrs. Nelson moved to approve a text amendment for Chapter 102, Article V, Off-street Parking and Loading, Section 102-258, Additional regulations; parking (13), for uses in a residential district. Second by Mrs. Toohill.

MOTION APPROVED 6-0

6. PUBLIC PARTICIPATION AND COMMENT

None

7. GENERAL DISCUSSION

Mr. Carlson moved that the meeting be adjourned. Second by Ms. Stucky. Motion carried by voice vote. The meeting adjourned at 6:05 p.m.

Sheila Mills, Secretary



PARCEL NUMBER(S):	12-05-176-016 & 12-02-176-017
ZONING:	CG (Commercial General)
ADDRESS:	1500 and 1502 E. Riverside Boulevard
APPLICANT:	Dyn Sycamore Investments, LLC 6801 Spring Creek Road Rockford, Illinois 61114
OWNER:	Dyn Sycamore Investments, LLC 6801 Spring Creek Road Rockford, Illinois 61114



ZONING BOARD OF APPEALS

Community Development Department

Date: July 18, 2022

SUBJECT: A Special Use Permit to allow 28 mini-warehouse storage units with no outside storage in the CG (Commercial General) Zoning District.

LOCATION: 1500 and 1502 E. Riverside Boulevard

COMPREHENSIVE PLAN: Commercial development

ZONING DISTRICT: North: CG (Commercial General)
South: CR (Commercial Retail)
East: CG (Commercial General)
West: CG (Commercial General)

PROPERTY INFORMATION AND RELEVANT FACTS:

Building Setbacks:

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

Provided: Structures identified on the site plan show that they will be situated on the property line.

Landscaping:

Required: 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 interior and exterior of the development based on interior and exterior parking spaces provided. Consent to landscape the right-of-way was given by the Winnebago County Highway Department. The landscape area shall be 8 feet in depth and meet all requirements, except for the trees. Trees did not get approved by the WCHD. There are 8 existing trees in the right-of-way presently.

Provided: The development does provide limited landscaping across both parcels.

Dumpster Enclosure:

Required: 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 six feet. The use of chain link fences and slats shall be prohibited in all districts.

Provided: The site plan does not indicate that a dumpster enclosure will be provided. No office

will be located on site.

Parking:

Required:

The business does not have an office or employees on site. Patrons will likely drive in and unload their storage items, then depart.

Provided:

The site plan shows that 18 stalls will be provided.

**Commercial Material
Guidelines:**

Required:

All building facades, public or private, shall be designed to enhance the character of the zoning district with the use of durable natural materials as required by Chapter 102, Article III, Division 3, Section 102-174, of the city's zoning code.

Provided:

Industry standard mini-warehouse storage building materials.

Findings:

The establishment of the of the special use will not be detrimental or endanger the public health. The use of mini-warehouse storage is relatively low impact. The properties have several issues that make development difficult given the recorded easements, overhead power lines, setbacks, and remaining space that would be available for development. Indoor storage units are available across the street. That use has no outdoor storage and has operated without any complaints. Staff does have concern about how quickly the property will deteriorate if outside storage is established. Outdoor storage should not be permitted for this reason. It is not foreseeable what impact the establishment of the use will have on development in this area. The development will utilize existing ingress/egress, and be making exterior parking lot improvements which should address any drainage issues that may arise.

Staff has concern about how close the structures will be to the property line. ComEd strongly discourages building under or around utility lines. The City attorney should notify ComEd that the City of Loves Park intends to issue permits for construction of the mini-warehouse units, unless they can cite some statutes or other code, which would prevent the city from issuing permits. Some acknowledgement from the land owner should be required that states the landowner assumes sole liability for any issues, problems, or rights that ComEd may have as a result of the power lines. That the City of Loves Park shall not be responsible for the removal, replacement, or incur any financial costs associated with this development, as a result of the establishment of the special use. Building with a zero side setback, given the limited capacity to develop the parcel should be fine. Notice will be provided to both the landowner and ComEd. The information regarding ComEd is for informational purposes that has no bearing on the zoning approval. Issues related to this development shall be handled through the permitting process.

RECOMMENDATION:

Approval - A Special Use Permit to allow 28 mini-warehouse storage units with no outside storage in the CG (Commercial General)

Conditions:

1. The Special Use Permit shall expire with the change in property ownership, or change of use.
2. No dumpster enclosure shall be required.
3. The Special Use Permit may be revoked with substantiated complaints from

- other businesses or local authorities.
4. An 8 foot deep landscape buffer with a combination of planted shrubs, ornamental grasses, perennials, bark, and other plants shall be installed in the right-of-way. The buffer shall be mounded and span both frontages, and provide some protective barrier to the passage of vehicles. No trees or interior landscape islands shall be required. The property owner shall be responsible for the maintenance, repair, and replacement of all the landscape materials. This includes the eight (8) existing trees and all of the staff proposed landscaping. The plant materials and landscape beds shall be tended to and maintained in a healthy growing condition free from refuse, debris, and weeds at all time. The landscaping shall be completed before the the business opens to the public.
 5. No outside storage shall be allowed as part of this special use permit.
 6. The development shall go through the City's plan review process, obtain all of the required permits, and have passed all final inspections before the business opens to the public.
 7. The development shall not be required to meet the commercial material guidelines in Chapter 102, Article III, Division 3, Section 102-174, due to the nature of these types of structures.
 8. The owner shall be allowed to develop the side property line with a zero setback due to the various easements on this parcel that make it difficult to observe the required side yard setback.

ATTACHMENTS:

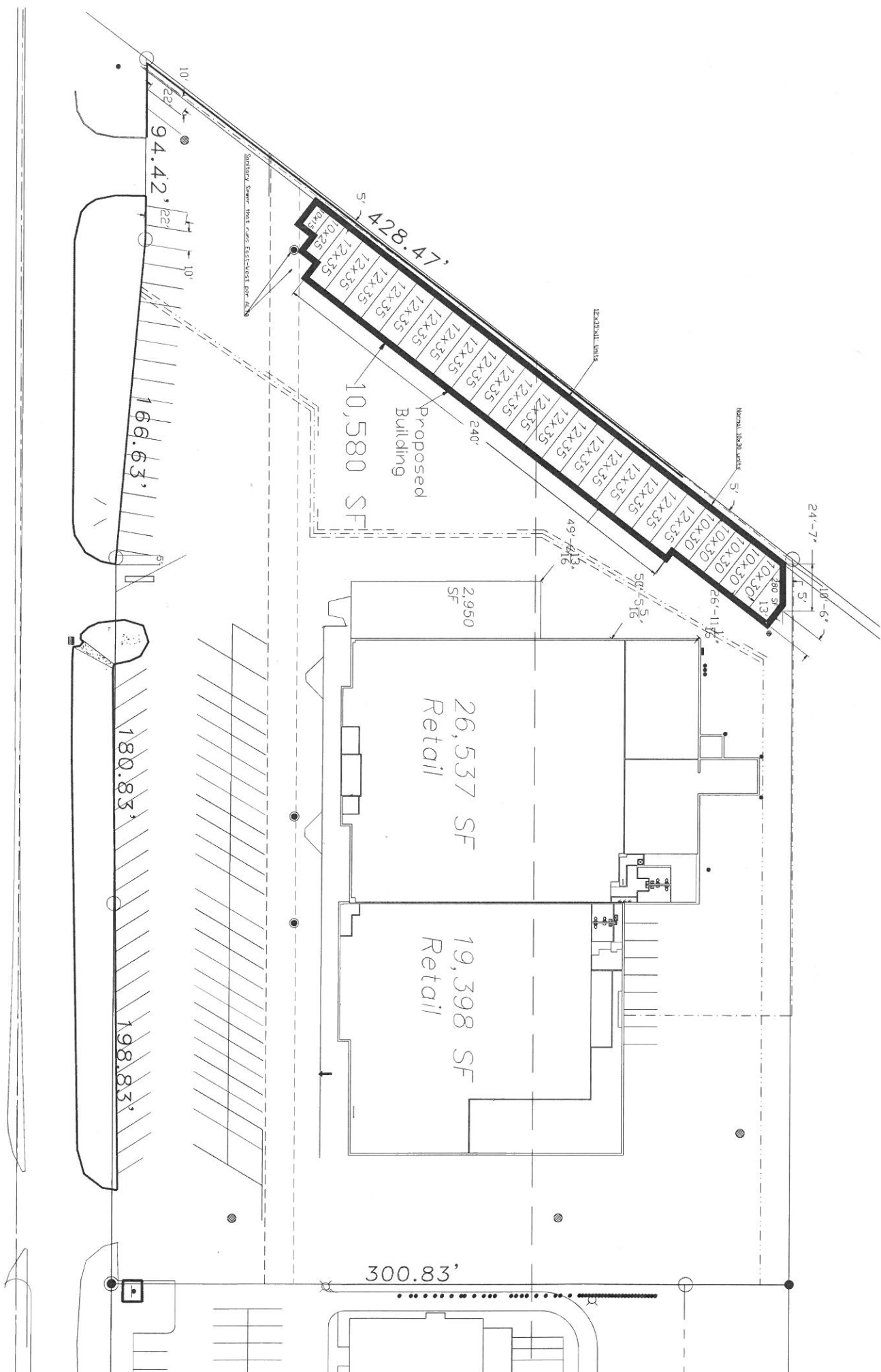
See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

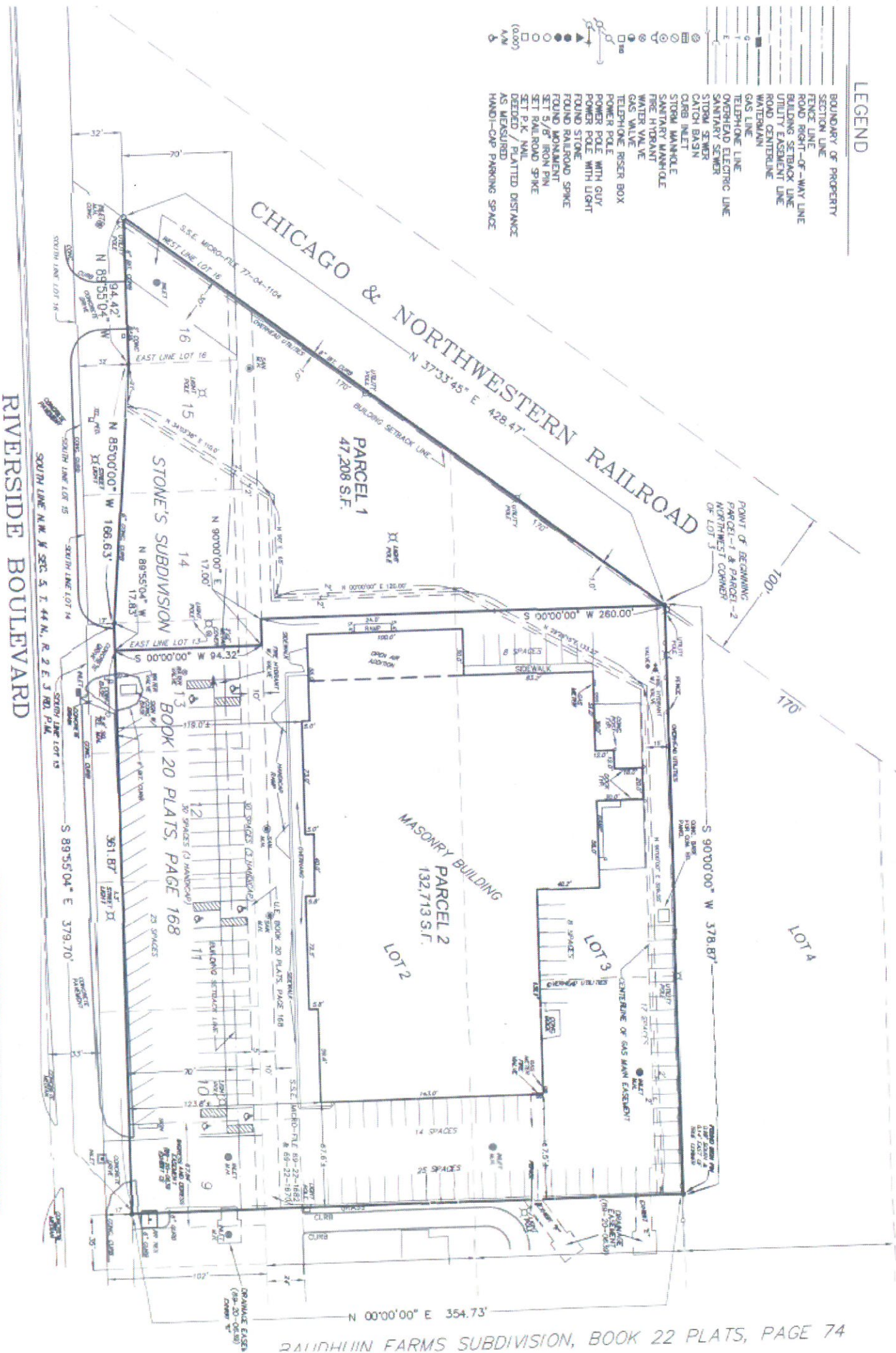
APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



LEGEND

- BOUNDARY OF PROPERTY
- SECTION LINE
- FENCE LINE
- ROAD RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- UTILITY EASEMENT LINE
- ROAD CENTERLINE
- WATERMAIN
- GAS LINE
- TELEPHONE LINE
- OVERHEAD ELECTRIC LINE
- SANITARY SEWER
- STORM SEWER
- CATCH BASIN
- CLUB INLET
- STORM MANHOLE
- SANITARY MANHOLE
- FIRE HYDRANT
- WATER VALVE
- GAS VALVE
- TELEPHONE RISER BOX
- POWER POLE WITH GUY
- POWER POLE WITH LIGHT
- FOUND STONE
- FOUND RAILROAD SPIKE
- FOUND MONUMENT
- SET 3/8" IRON PIN
- SET P.K. NAIL
- DECEDED / PLATTED DISTANCE
- AS MEASURED
- HAND-ON PARKING SPACE



RIVERSIDE BOULEVARD

PARCEL 1
47,208 S.F.

STONE'S SUBDIVISION

BOOK 20 PLATS, PAGE 168

MASONRY BUILDING

PARCEL 2
132,713 S.F.

LOT 2

LOT 3

LOT 4

PARKING SPACES
REGULAR SPACES = 151
HAND-ON SPACES = 6



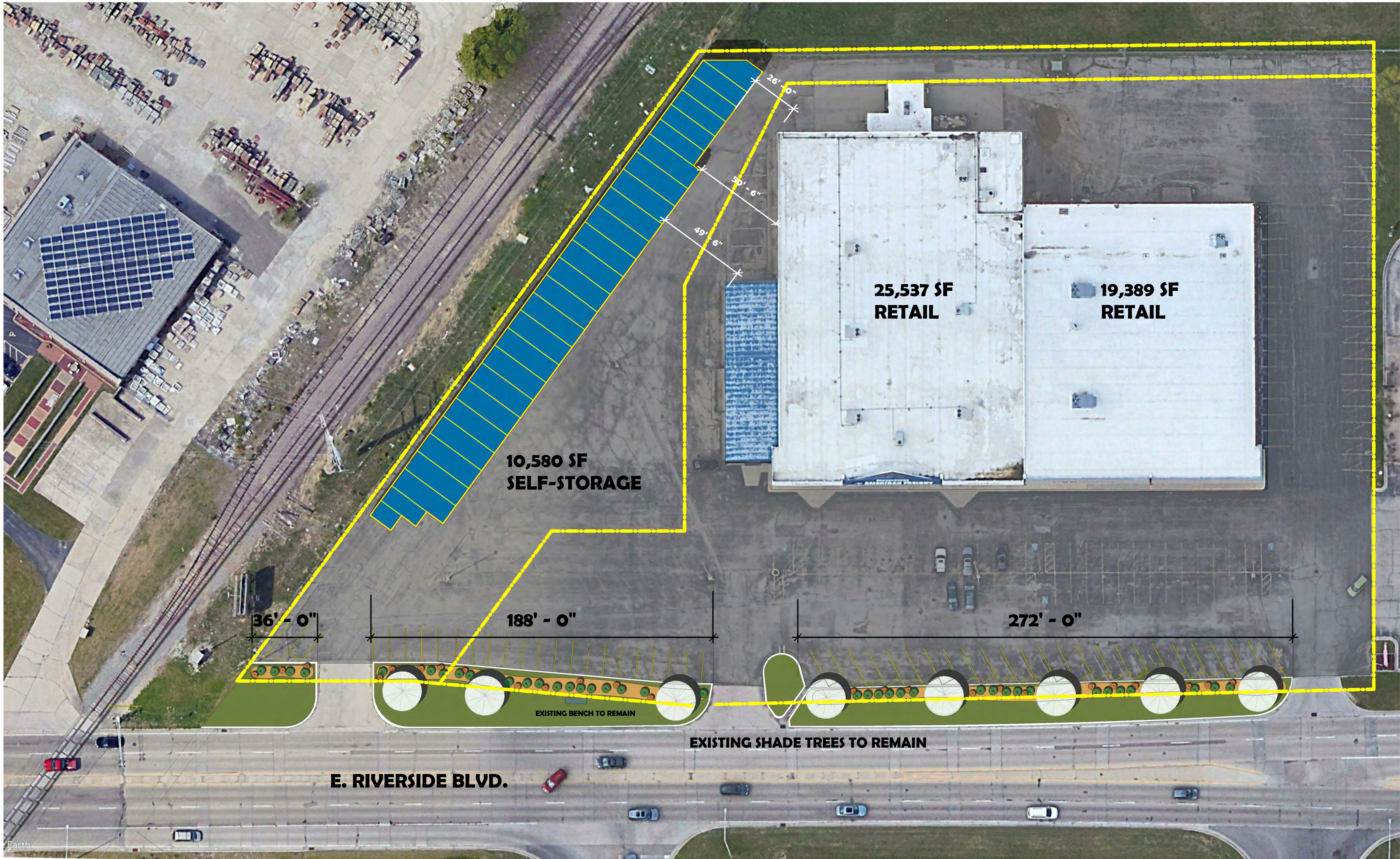
SURVEY-TECH
A DIVISION OF C.E.S. IN
PROFESSIONAL DESIGN FIRM LICENSE N
1044 MAPLE COURT ROCKFELL, ILL
(815)-562-8771 FAX: (815)-

Narrative

Dyn Sycamore Investments, L.L.C. is seeking special use to allow for mini warehouse storage at 1500 & 1502 E. Riverside Blvd. The property contains two parcels: 12-05-176-016 (1500 E. Riverside) and 12-05-176-017 (1502 E. Riverside). The parcels are zoned CG. Mini warehouse storage is a special use for CG zoning. 1500 E. Riverside is currently a parking lot, and 1502 E. Riverside contains a retail building as well as parking.

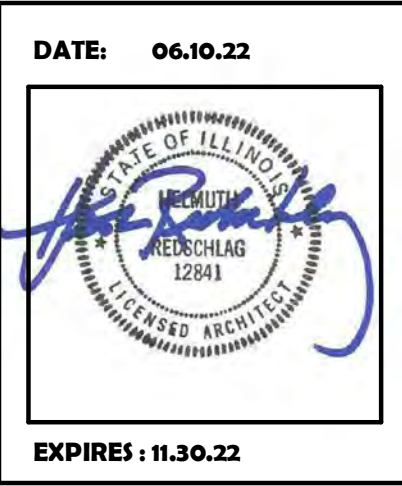
Dyn Sycamore Investments, L.L.C. is proposing a permanent 10,580 square foot exterior access mini warehouse storage building along the west side of 1500 E. Riverside and partially on the northwest corner of 1502 E. Riverside. The storage building would contain approximately 28 individual storage units. Each unit would have its own overhead door to allow for direct access. The units will be offered in multiple sizes to accommodate different needs of customers, ranging from 10 feet by 15 feet to 12 feet by 35 feet. As part of the new proposed building, the parking lot on 1500 E. Riverside would be resurfaced to better serve customers and make the property more attractive to the public. Additionally, the proposed storage building would serve as a screen to the train tracks and rubble piles from the business directly to the west. The parking lot area on the south portion of 1500 E. Riverside would remain open to allow flexibility for the possible construction of a new retail building in the future.

Further, Dyn Sycamore Investments, L.L.C. is seeking a variance in setback requirements in order to build the mini warehouse storage building as depicted in the site plan. This variance is being sought due to the unique shape of 1500 E. Riverside. The dimensions of the parcel make it impractical to build in the northern half of the property with the existing setback requirements. Allowing a variance will allow for better utilization of the available space and it would not be detrimental to the public health, safety, welfare, nor would it be injurious to properties or improvements in the vicinity of 1500 and 1502 E. Riverside.



LANDSCAPE PLAN - 1502 E. RIVERSIDE BLVD. STORAGE FACILITY
SCALE: 1" = 30'-0"

- 500' X 8'-0" WIDE MULCHED PLANTING BED - PREMIUM DOUBLE-PROCESSED CHOCOLATE MULCH (TYPICAL)
- (38) "GREEN SEA JUNIPER" - JUNIPERUS CHINENSIS - 3-GALLON BUCKET-SIZED - SPACED APPROX. 12'-0" APART
- (25) "KARL FOERSTER GRASSES" - CALMAGROSTIS X ACUTIFLORA - 3 GALLON BUCKET-SIZED - SPACED APPROX. 20'-0" APART



Landscape proposed:

500' X 8'-0" WIDE MULCHED PLANTING BED - PREMIUM DOUBLE-PROCESSED CHOCOLATE MULCH (TYPICAL)

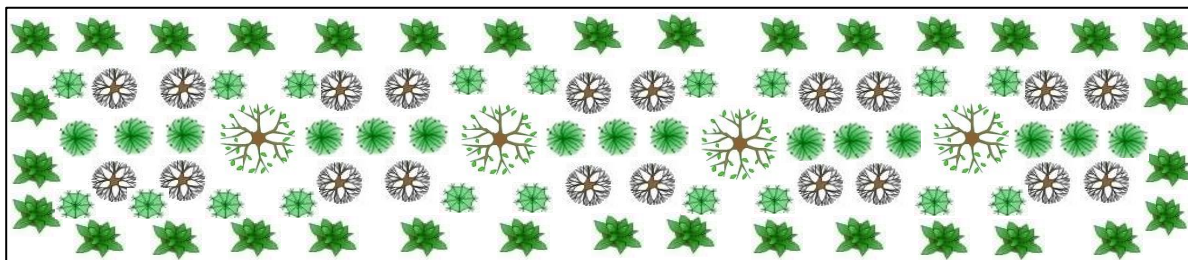
(39) "GREEN SEA JUNIPER" - JUNIPERIS CHINENSIS - 3-GALLON BUCKET-SIZED - SPACED APPROX. 12'-0" APART

(25) "KARL FOERSTER GRASSES" - CALMAGROSTIS X ACUTIFLORA - 3 GALLON BUCKET-SIZED - SPACED APPROX. 20'-0" APART

Staff proposal

- 1 (50) Karl Foerster Grasses - 3 Gallon Bucket Sized, spaced approx 2'- 0" apart (centrally placed at 4 feet within the berm)
- 2 500'- 0" Wide x 8'- 0" Deep, (mounded and mulched) planting bed - Premium double processed chocolate mulch.
- 3 (50) American Halo Hosta - 3 Gallon Bucket Size, spaced approx 2'- 0" apart (located on the parimeter of each bed, on all sides.
- 4 (50) Summerific Hardy Hibiscus - 3 Gallon Bucket Size, space 5' - 0" apart
- 5 (50) Stella D'oro Daylily - 3 Gallon Bucket Size, space 5' - 0" apart

Landscape beds shall follow this planting scheme



(8) Trees are existing and shall remain



Karl Foerster Grasses shall be planted internally



Summerific Hardy Hibiscus shall be planted internally



Stella D'oro Daylily shall be planted internally



American Halo Hosta shall be planted around the parimeter



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.

1500 and 1502 E. Riverside Boulevard

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: **1500 and 1502 E. Riverside Boulevard**
SUP for mini-warehouse storage w/o outside storage

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: July 18, 2022

SUBJECT: A Variance from a required 5 side yard building setback to a zero foot side yard building setback in the CG (Commercial General) Zoning District.

LOCATION: 1500 and 1502 E. Riverside Boulevard

COMPREHENSIVE PLAN: Commercial Retail Development

ZONING DISTRICT: North: CG (Commercial General)
South: CR (Commercial Retail)
East: CG (Commercial General)
West: CG (Commercial General)

PROPERTY INFORMATION AND RELEVANT FACTS:

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

Both parcels have easements that run through them. The parcels share cross access, sanitary sewer, gas line, and utility easements.

Provided: **1500 E. Riverside Blvd**

The site plan shows new mini-warehouse development with no indication of a 5 foot side yard setback observed.

1502 E. Riverside Blvd

The site plan shows the northwestern portion of the property with mini-warehouse storage units and no setback observed. The development will cross the property line with up to 6 mini-warehouse units being built on this parcel.

Findings: Strict enforcement of the regulation would not result in practical difficulty or unnecessary hardship for the owner of the property. While the lot is irregular, 1500 E. Riverside Boulevard, is undeveloped, which allows the owner to reconfigure the proposed development on this lot. 1502 E. Riverside has been developed since the early 1970's, and observes setbacks for development that are still used today. The western property boundary for 1500 E. Riverside, and the northwestern portion of 1502 E. Riverside are situated directly underneath utility lines. Staff has reached out to ComEd about the proposed development to verify if there was an electrical easement recorded on the property. Commonwealth Edison informed staff that where there are power lines, there is almost always a recorded easement for access. Staff was also

informed by ComEd that it is likely that this area was missed when utilities were established in this area of Loves Park. It will be an area they will explore for recording an electrical easement now that they are aware of this. Commonwealth Edison has informed staff that they do not like buildings or structures erected near or under power lines, or in recorded easements. While there are extraordinary circumstances applicable to the properties, it would not be prudent to allow construction to occur so close to the property line. While there is no way to know what kind of easement may be established, the City's code does require a minimum 5 foot side yard setback for the proposed development. The enforcement of the building setback, and the various easements recorded on both properties does deprive the owner of being able to develop the lots, however, these parcels have limited capacity for development that variations to the City's code will not even address.

RECOMMENDATION: **Denial** - A Variance from a required 5 foot side yard building setback to a zero foot side yard setback in the CG (Commercial General) Zoning District.

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: APPROVAL / DENIAL / TABLED

**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 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.

1500 and 1502 E. Riverside Boulevard

 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.
-
-

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: 1500 and 1502 E. Riverside Boulevard
Variance for a 0 foot setback

Chairman
Ben Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: July 18, 2022

SUBJECT:	A Variance from a required 8 foot landscape buffer containing some combination of planted trees, shrub, and plants to no 8 foot landscape buffer containing planted trees, shrubs, and plants in the CG (Commercial General) Zoning District
LOCATION:	1500 and 1502 E. Riverside Boulevard
COMPREHENSIVE PLAN:	Commercial Retail Development
ZONING DISTRICT:	North: CG (Commercial General) South: CR (Commercial Retail) East: CG (Commercial General) West: CG (Commercial General)
PROPERTY INFORMATION AND RELEVANT FACTS:	<p>Both parcels have easements that run through them. The parcels share cross access, sanitary sewer, gas line, and utility easements.</p> <p>Landscaping shall not be installed in any of the existing parking areas for both parcels.</p>
Landscaping Required:	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 interior and exterior of the development based on interior and exterior parking spaces provided.
Provided:	<p>1500 E. Riverside Blvd The site will include some landscaping.</p> <p>1502 E. Riverside Blvd The site will include landscaping.</p>
Findings:	Strict enforcement of the regulation would not result in practical difficulty or unnecessary hardship for the owner of the property. 1500 E. Riverside is an undeveloped parcel, with the capacity to meet the landscape requirement. 1502 E. Riverside will be utilized in the overall development of both parcels. Both parcels can meet the landscape requirement with minor restrictions by the Winnebago County Highway Department (WCHD). The WCHD controls and maintains the right-of-way in front of both of these parcels. They have authorized the use of the right-of-way for the installation of the landscaping required for this development as long as the applicant does not plant trees. The right-of-way for both parcels has 8 trees that are existing so additional trees will not be necessary. The county right-of-way for this area extends

to Riverside Blvd and Forest Hills Road, and continues both northward and southward on Forest Hills Road. Staff doesn't see that there are conditions applicable to the properties that are unique, which do not apply to other properties in the zoning district. Since the WCHD has given authority for the improvements, the applicant can meet the requirement for the establishment of the new business. The applicant has the opportunity to make the improvements to the property, which will enhance the property, and area overall. All new businesses have been required to provide landscaping for their development. Granting a variation for this new business, does nothing to improve the aesthetics of the area or to increase interest for new development. Granting the variation, in the absence of a hardship, would appear to be special privilege, when advanced approval has been granted for the landscape implementation.

RECOMMENDATION:	Denial - A Variance from a required 8 foot landscape buffer containing some combination of planted trees, shrubs, and plants to no 8 foot landscape buffer containing planted trees, shrubs, and plants in the CG (Commercial General) Zoning District
ATTACHMENTS:	See attachments
ZONING BOARD RECOMMENDATIONS:	
<u>Vote:</u>	APPROVAL / DENIAL / TABLED
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 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.

1500 and 1502 E. Riverside Boulevard

 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.
-
-

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: **1500 and 1502 E. Riverside Boulevard**
Variance to required 8 ft landscaping with plants and trees to no landscape buffer with plants and trees

Chairman
Ben Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: July 10, 2022

SUBJECT: An amendment to Special Use Permit for an indoor athletic sports facility in the CR (CommercialRetail) Zoning District.

LOCATION: 7003 N. Alpine Road (12-05-202-002, 12-05-202-003, 12-05-202-008, 12,05-202-009, 12-05-202-010, and 12-05-202-018)

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

ZONING DISTRICT:

North	CR (Commercial Retail) and IL (Light Industrial)
South	CR (Commercial Retail)
East	CR (Commercial Retail) and IL (Light Industrial)
West	CR (Commercial Retail) and IL (Light Industrial)

PROPERTY INFORMATION AND RELEVANT FACTS:

Building Setbacks:

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

Provided: The building was established in 1974. Setbacks are existing and shall be deemed in conformity, unless modifications to the structure occur at some future date. The, then, property owner in 2007 acquired additional parcels and expanded the parking lot to include all of the easterly parcels.

Landscaping:

Required: 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 interior and exterior of the development based on interior and exterior parking spaces provided.

- A single tree for the exterior parking stalls
- Fifteen trees for the interior parking stalls
- Landscape island in the parking areas
- Eight foot deep landscape buffer on both frontages filled with trees, shrubs, plants, and ground cover.

Provided: The property has a few shrubs and trees. The business owner is agreeable to improving the exterior with additional landscaping. The landscape plan for this petition is sufficient.

Dumpster Enclosure:

Required:

Enclosures for commercial and industrial properties and businesses shall be poured concrete or masonry to adequately shield containers within the enclosure. The use of chain link fences and slats shall be prohibited in all districts

Provided:

The business does utilize commercial trash services, and has a designated area for the trash dumpster, but no enclosure.

Parking:

Required:

The facility, for all uses, is required to have 100 parking stalls, with 4 accessible stalls.

Provided:

The site plan shows 161 stalls, which does include 6 accessible stalls.

Findings:

The establishment of the special use will not be detrimental to, or endanger the comfort and general welfare of the residents and existing businesses in the area. The building was built for this use at its inception. The sports use has been functioning at this location for the better part of 45 years with little to no incidence. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for inherent uses. The use should not adversely impair or diminish land values given the length of time the use has been in operation at this facility. The use should not negatively impact development for this area. The business owner is agreeable to making exterior improvements with landscaping, which will enhance the property and zoning district. Staff does not see that reestablishing the use as a sports facility to be problematic. Staff sees that opening up the facility for uses such as concerts, parties, events, and other similar activities to be problematic for various reasons. These types of uses may generate issues with parking, occupancy, and safety. The facility was designed and is suited for its intended purpose only.

UPDATE: 07-2022

July, 2022 request
for amending the SUP

The applicant would like to amend condition #5, to allow for private parties, banquets, receptions, special events, but no concerts. The applicant would also like to amend condition #6 allowing for overflow parking with written permission from adjacent business and/or landowners.

The landowner has given the applicant permission to have events, receptions, banquets, and parties at this location, however, he did indicate that concerts would not be allowed.

The applicant contacted Staff about an event that was arranged in 2001. The applicant was given special permission for a single event on July 2, 2022. The request was granted, provided that the applicant complete the Special Use Permit, to request having these types of events at this location. The applicant did complete the request, and was allowed this single party. The applicant was informed that if the local authorities or emergency services were called, that it would not be favorable for his request to allow events, receptions, banquets, and parties.

On July 2, 2022 the Loves Park Police were called to 7003 N. Alpine Road for a noise complaint at about 11:15 pm. The applicant has had a series of complaints, over the years regarding non-sports related events held at this location. Staff sees more of

these types of occurrences if the conditions are amended or removed. The facility is a sports facility, which is what the current special use permit has been granted for. The business owner has not shown the ability to control events that have taken place on site. Staff does not support the removal of the conditions to have banquets, parties, receptions, special events, or to allow off-site parking with written consent.

RECOMMENDATION: **Denial** - An amendment to Special Use Permit for an indoor athletic sports facility in the CR (Commercial Retail) Zoning District.

Conditions:

1. The Special Use Permit shall be renewed 1 year from the date of approval.
2. The Special Use Permit shall be revoked with verified complaints from adjacent business owners or complaints by the local authorities.
3. The applicant shall be required to install a continuous 8 foot deep landscape buffer on the Windsor Road and Alpine 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 Bradford Pear trees that will be or grow to a height of 15 feet at maturity. The berms shall include a variety of shrubs, perennials, and dark mulch. The landscape plan shall be sufficient as presented.
4. The business owner/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants and materials. The landscape beds, shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. Landscaping shall be installed on or before May 30, 2022.
5. No banquets, concerts, parties, receptions, special events, or other non sports related activities shall be permitted.
6. Overflow parking is not permitted off-site. The business owner shall not allow patrons to park on adjacent business lots.
7. The dumpster enclosure may be constructed of wood, but no chain line fence shall be permitted.
8. The area around the dumpster enclosure shall be cleaned up. All weeds, debris, and trash shall be removed. The ground shall be leveled and maintained free from trash and weeds at all times.
9. Two trash receptacles shall be placed at the front entrance.
10. No outside storage shall be permitted.
11. The sign shall be repaired within 30 days of approval, and not be increased in height.

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S): 12-05-202-002, 12-05-202-003, 12-05-202-008,
12-05-202-009, 12-05-202-010, 12-05-202-018

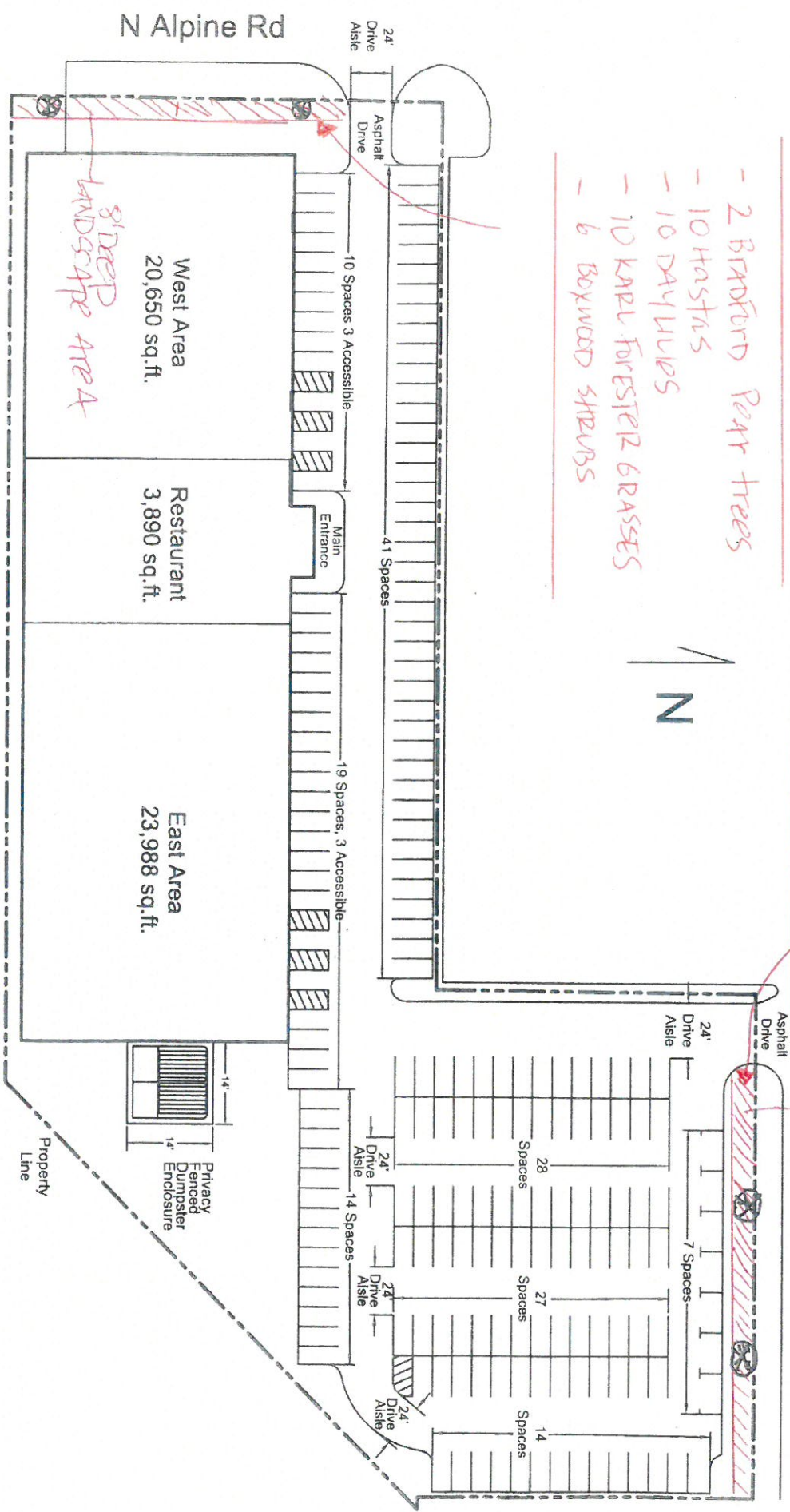
ZONING: CR (Commercial Retail)

ADDRESS: 7003 N. Alpine Road

APPLICANT: H. E. Partners, Ltd.
2336 Southeast Ocean Blvd. #283
Stuart, Florida 34996

PETITIONER: H. E. Partners, Ltd.
2336 Southeast Ocean Blvd. #283
Stuart, Florida 34996

LANDSCAPE PLAN



- 2 BRANDED Pear trees
- 10 HASTAS
- 10 DAYLILIES
- 10 KARL FORESTER GRASSES
- 6 BOXWOOD SHRUBS

- 2 BRANDED Pear trees
- 10 HASTAS
- 10 DAYLILIES
- 10 KARL FORESTER GRASSES
- 6 BOXWOODS

8' DEEP LANDSCAPE AREA

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.

7003 N. Alpine 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: **7003 N. Alpine Road**
SUP indoor sports facility

Chairman
Mike Owens

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 29, 2022

SUBJECT:	A Special Use Permit for outside storage in the IL (Light Industrial) and CR (Commercial Retail) Zoning Districts.
LOCATION:	7199 Clinton Road
COMPREHENSIVE PLAN:	The City of Loves Park Comprehensive Plan identifies the area for the use of light industrial and general commercial uses.
ZONING DISTRICT:	North IL (Light Industrial) South CR (Commercial Retail) East CR (Commercial Retail) & R3A (Four-family Residential) West IL (Light Industrial) and CR (Commercial Retail)
PROPERTY INFORMATION AND RELEVANT FACTS:	
Outside storage Required:	Outside storage shall be screened by a site obscured fence or landscape hedge.
Provided:	Six foot chain link fence with a sliding security gate at entry. A new 6 foot high wood fence along the east side of the property as shown on the site plan. New asphalt area to meet existing pavement.
Findings:	The establishment of the special use will not be detrimental to the public health, safety, or general welfare to business in the area. The use will not adversely impact or diminish property values in the zoning district. The establishment of the use will not impede development or improvements for uses already established in the district. The property is used predominantly for light industrial uses. The area in question will set back roughly 350 feet from the Clinton Road frontage. As long as the outside storage is contained within the area designated for outside storage, there should be no noticeable impact to the surrounding area.
RECOMMENDATION:	Approval - A Special Use Permit for outside storage in the IL (Light Industrial) CR (Commercial Retail) Zoning Districts. Conditions: <ol style="list-style-type: none">1. The Special Use Permit expires with the change in property ownership.2. The Special Use Permit shall be revoked with verified complaints from adjacent business owners or complaints by the local authorities.3. No barb wire shall be allowed for the outside storage area. Fence height shall not exceed 6 feet in height.4. The chain link security fence and gate shall provide screening from the Clinton Road frontage.

ATTACHMENTS:

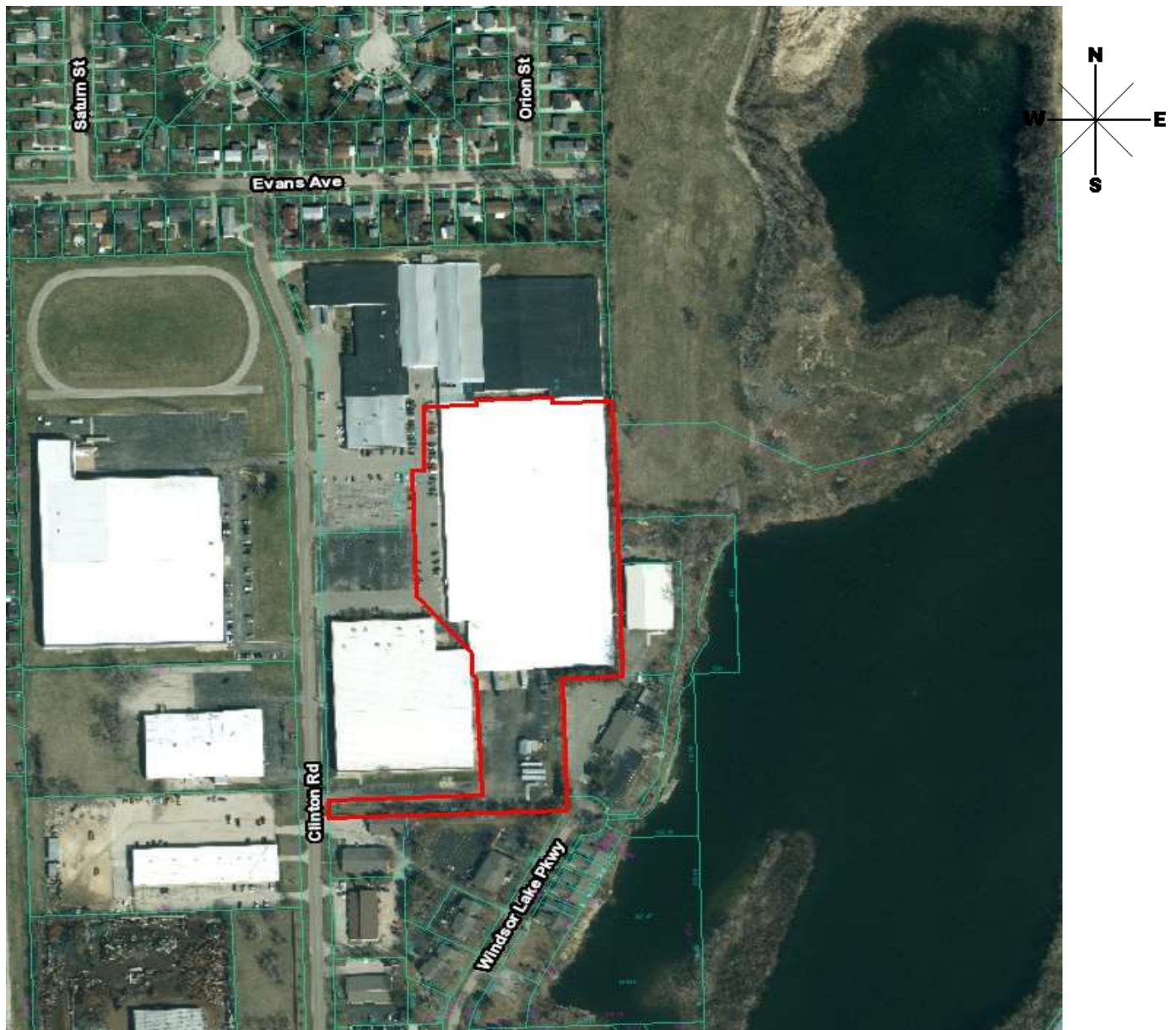
See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

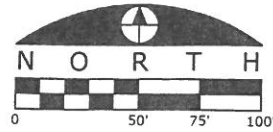
**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S):	08-32-302-019
ZONING:	Light Industrial & Commercial Retail
ADDRESS:	7199 Clinton Road
APPLICANT:	Jeff Linkenheld 5291 Zenith Parkway Loves Park, Illinois 61111
OWNER:	Jeffrey G. Petry – Petry Trust PO Box 80 Belleville, Wisconsin 53508

CLINTON ROAD WAREHOUSE

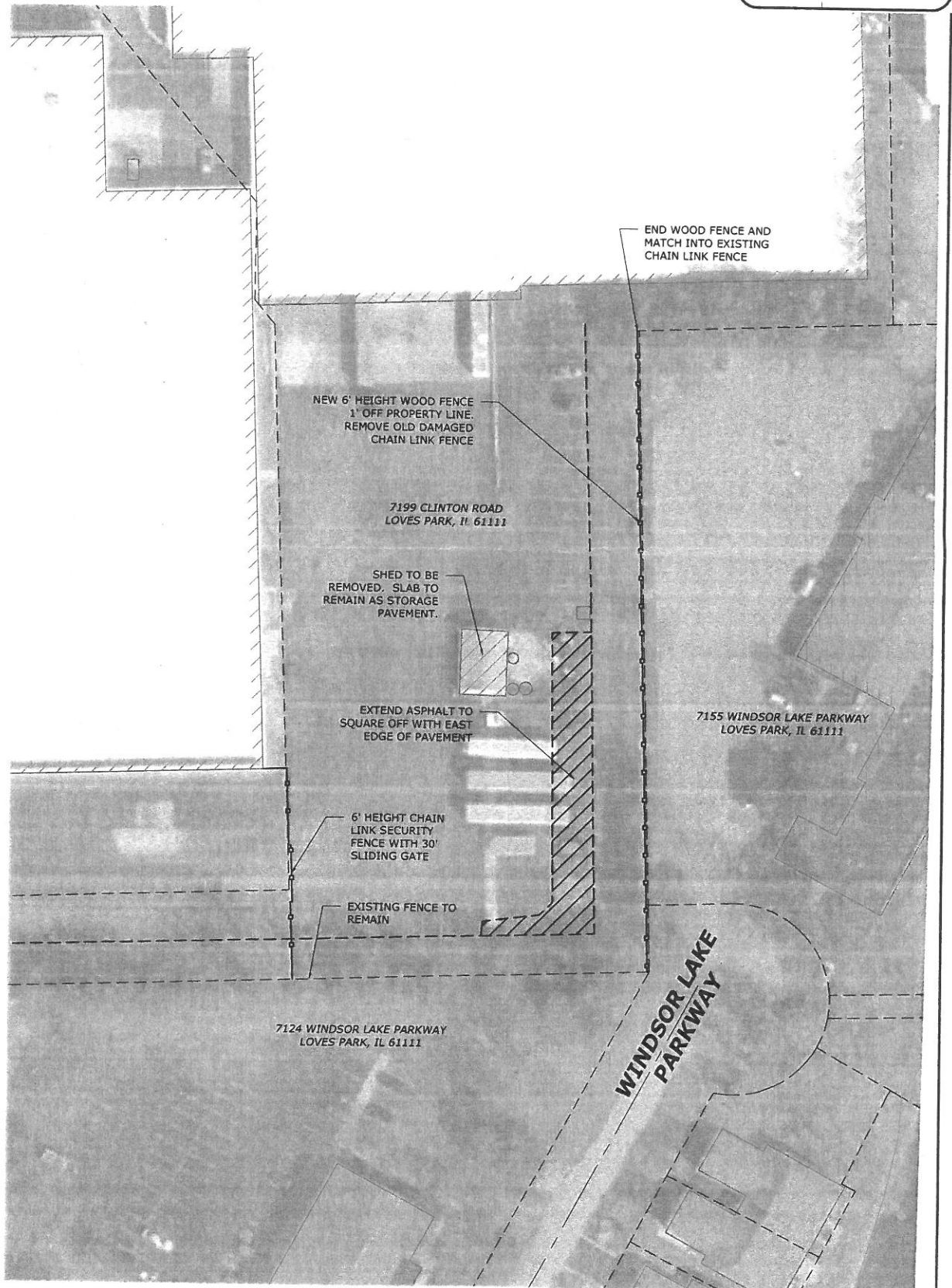
Special Use Permit Exhibit
7199 Clinton Road, Love Park IL 61111
05/17/2022



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



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.

7199 Clinton Road

- 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: **7199 Clinton Road**
 SUP Outside Storage

Chairman
Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: July 8, 2022

SUBJECT: A Special Use Permit for a fast food drive-thru establishment in the CR (Commercial Retail) and E. Riverside/I90 Overlay Districts.

LOCATION: 7170 E. Riverside Boulevard

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

ZONING DISTRICT:

North	IL (Light Industrial) and CR (Commercial Retail)
South	C3 (Commercial Retail) Rockford
East	IL (Light Industrial) and CR (Commercial Retail)
West	IL (Light Industrial) and CR (Commercial Retail)

PROPERTY INFORMATION AND RELEVANT FACTS:

Building setbacks:

Required:

Front yard:	30 feet
Side yard:	5 feet for building under 25 feet in height
Rear setback:	20 feet

Provided:

Front yard:	greater than 30 feet
Side yard:	greater than 5 feet on both sides
Rear setback:	greater than 20 feet

Dumpster enclosure:

Required: 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 six feet. The use of chain link fences and slats shall be prohibited in all districts.

Provided: A dumpster enclosure will be provided. No indication of the materials.

Landscaping:

Required: 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 interior and exterior of the development based on interior and exterior parking spaces provided. The landscape strip shall be mounded a minimum of one foot above the height of the

	adjacent parking spaces, but not exceed a three to one slope. Nine trees are required.
Provided:	Landscaping is being provided. The landscape plan contains a variety of mixed plants and trees. Landscaping will be installed on Hangar Road, E. Riverside Boulevard, and on the private drive along the western property line. Seven trees will be provided.
Parking:	
Required:	The required parking for the establishment is 26 parking stalls.
Provided:	The establishment will be providing 48 parking stalls for all uses. The site plan shows 15 feet for vehicle circulation on the southern part of the parcel. Normal circulation for angled parking is 18 feet. Additionally, the plan shows an area where a curbed barrier will be provided between both drive-thru's.
Drive-thru:	
Required:	The stacking requirements for a drive-thru is 5 vehicles.
Provided:	The drive-thru will accommodate up to 8 vehicles.
Signage:	
Required:	The maximum for a monument sign is 8 feet in height and shall provide landscaping around the sign. The materials for the sign shall be closely matched to the materials being used for the construction of the
Provided:	The applicant is requesting a 15 foot high multi-tenant sign. The sign will serve future development to the north, where permitted signage may be difficult to see from Riverside Boulevard.
Findings:	The establishment or operation of the special use will not be detrimental to the public health or general welfare of patrons and existing uses. The use will not be injurious to the use and enjoyment of other properties in the vicinity. While the use may generate increased traffic to the area, there are similar uses already established in the zoning district. Those uses have not diminished or impaired land values within the area. The use will not adversely impact the normal orderly development and improvements of the surrounding property for uses already permitted in the district. The use is complimentary to established uses. Adequate ingress/egress, as well as, utilities will be established as part of this development.
RECOMMENDATION:	<p>Approval - A Special Use Permit for a fast food drive-thru establishment in the CR (Commercial Retail) and E. Riverside/I90 Overlay Districts.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. The Special Use Permit expires with the change in use. 2. The dumpster enclosure shall meet the requirements of section 102-132 of the City's code of ordinances and the E. Riverside/I90 Overlay, Section 102-338. 3. The establishment shall meet the building material requirements of section 102-174 of the City's code of ordinances, and the E. Riverside/I90 Overlay, Section 102-338. 4. The (4) crab trees shall be replaced with River Birch or Bradford Pear trees. The dumpster enclosure shall have Karl Forester grasses planted on the north and west side of the enclosure. 5. A protective curb barrier on the property line, between the two drive-thru areas, shall be provided.

6. The applicant shall be required to install an 8 foot deep landscape buffer on Hangar Road, and E. Riverside Blvd frontages. The landscaping bed shall also include the western part of the parcel as presented, 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 four Crab Trees included in the landscape plan shall be replaced with River Birch or Bradford Pear Trees. The berm areas shall include dark mulch. The remaining plants as presented with in the landscape plan are sufficient.
7. The business owner/property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials. The landscape beds shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times. Irrigation for the landscaped areas shall be required.
8. A 15 foot high multi-tenant sign shall be allowed. It will serve this property and the future development to the north. The sign must meet the city's requirements in Article VI, Section 102-284, and the requirements in the E. Riverside/I90 Overlay, Section 102-338.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

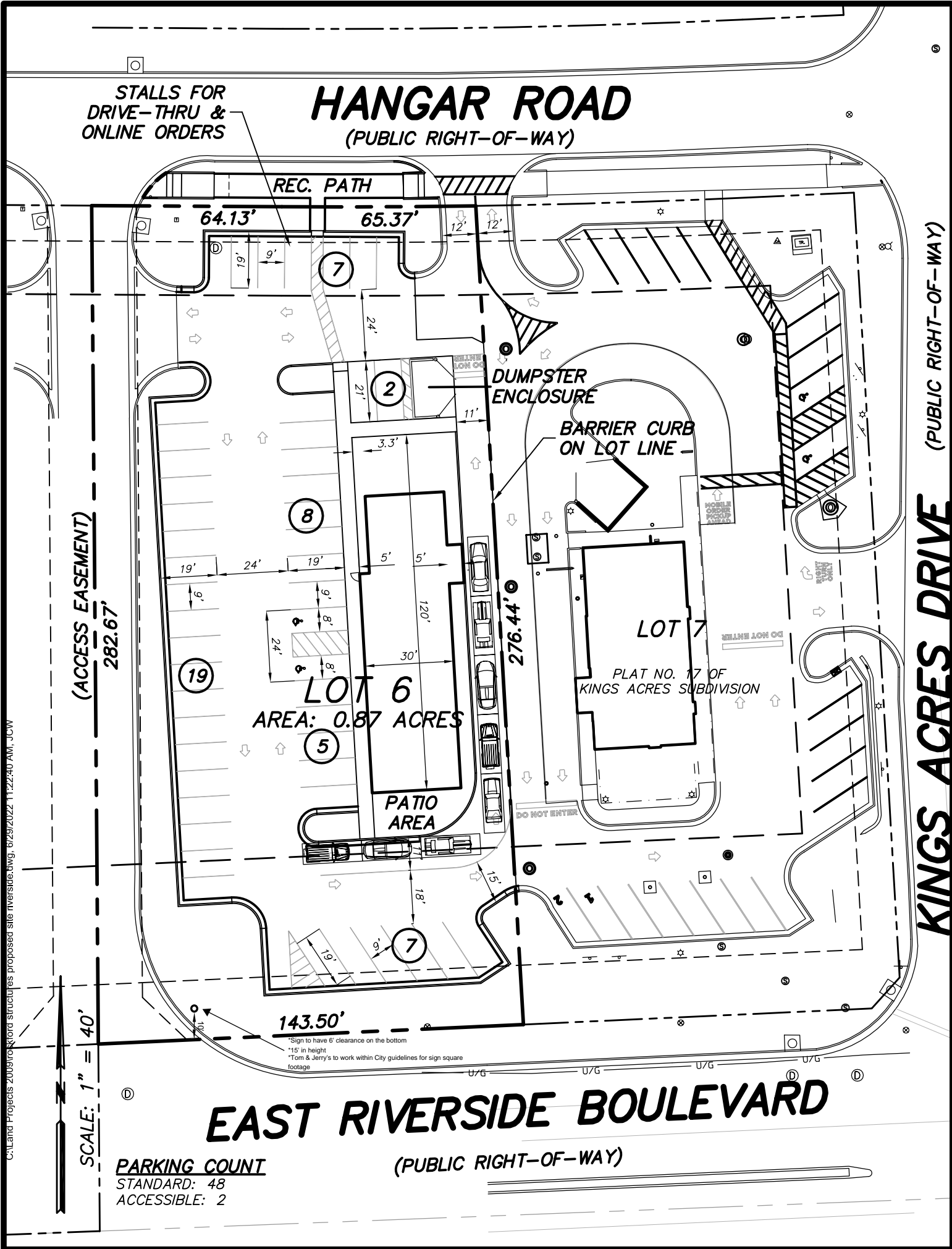
Vote:

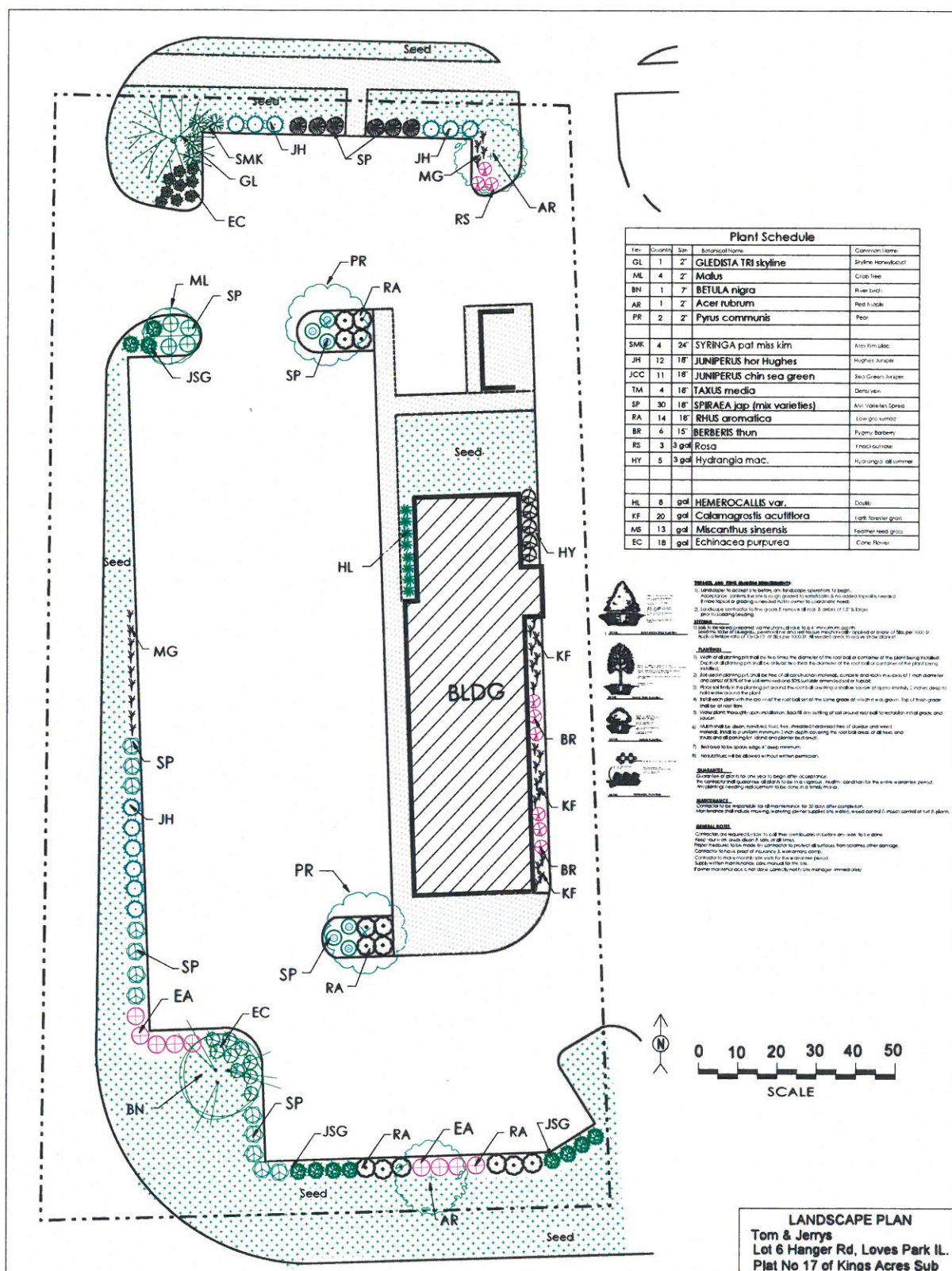
APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S):	12-02-155-006
ZONING:	Commercial Retail _ Light Industrial
ADDRESS:	7170 E. Riverside Boulevard
APPLICANT:	Robert Grottke 1555 W. Lane Road Machesney Park, Illinois 61115
OWNER:	Robert Grottke 1555 W. Lane Road Machesney Park, Illinois 61115





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.

7170 E. Riverside Boulevard

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: **7170 E. Riverside Boulevard**
SUP fast food drive-thru

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 13, 2022

SUBJECT:	A Variance to install an auxiliary parking pad in front of the home and alongside of the garage in the R1(Single Family Residential) Zoning District.
LOCATION:	6572 Stallion Court
COMPREHENSIVE PLAN:	Single Family Residential
ZONING DISTRICT:	North: Single Family Residential South: Single Family Residential East: Single Family Residential West: Single Family Residential
PROPERTY INFORMATION AND RELEVANT FACTS:	
Building Setback: Required:	Building setback: 30 feet Side yard: 6 feet Rear yard: 30 feet Driveway width: 20 feet at the property line
Provided:	Building setback: 30 feet Side yard: 6 feet Rear yard: 30 feet Driveway width: 20 feet at the property line
Findings:	Strict enforcement of the regulation would result in unnecessary hardship against the homeowner. The property is located in a cul-de-sac with several other irregular lots. The landowner has a driveway that is curved, due to the orientation of the house on lot and the opening established by the City at the street. The owner acquired the property with the non-conforming auxiliary pad, which was done some time before 2001. Allowing the owner to secure the variance to bring the pad in compliance should be allowed. There are extraordinary circumstances related to this property and other properties in the cul-de-sac. Almost all of the homes have driveways that do have some modification to provide them access to the homes garage. For this reason, strict interpretation would deprive the property owner privileges enjoyed by other land owners who do have the same conditions on their properties. Staff does support the improvement to the existing auxiliary parking pad to make it legal, but do not support the additional extension alongside of the garage. The purpose of extending the auxiliary parking pad alongside of the garage is for the storage of recreational vehicles and trailers, which is a personal hardship related to the owner, and not derived from from the land. The homes existing driveway, and auxiliary pad, can be used for their

intended purpose without adding additional parking alongside of the garage.
The granting of the variation for the pad in front of the home will not constitute special privilege, but the approval for the extension alongside of the garage will given the lack of a hardship. The improvements for the auxiliary pad in front of the garage will not have an adverse impact to the public health or general welfare of the neighborhood. Increased impervious surface for parking boats and trailers does not improve the aesthetics of the property or serve to enhance the neighborhood.

RECOMMENDATION: Denial - A Variance to install an auxiliary parking pad in front of the home and alongside of the garage in the R1 (Single Family Residential) Zoning District

Approval - A Variance to install an auxiliary parking pad in front of the home, as presented, in the R1 (Single Family Residential) Zoning District

ATTACHMENTS: See attachments

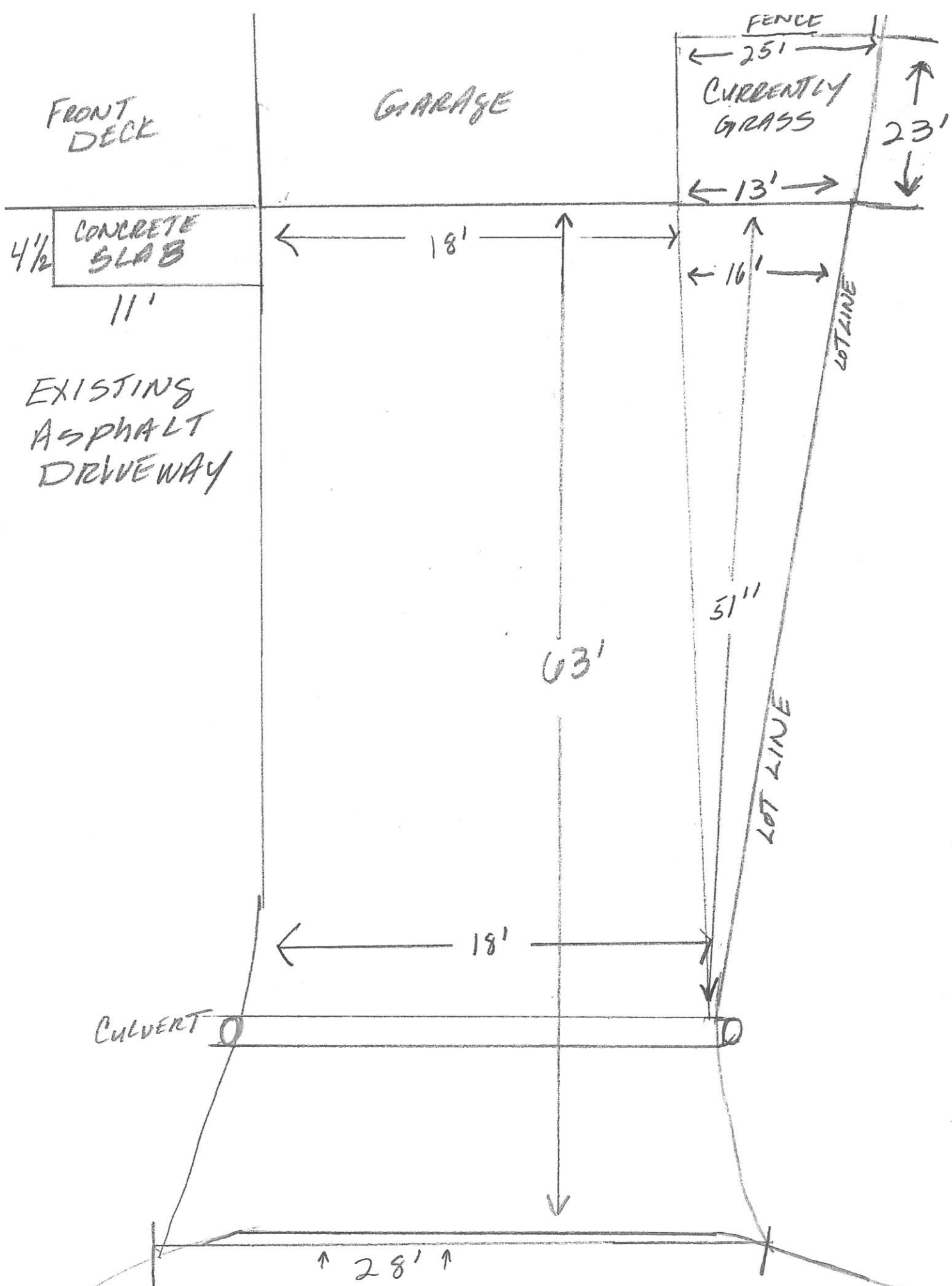
**ZONING BOARD
RECOMMENDATIONS:**

Vote: APPROVAL / DENIAL / TABLED

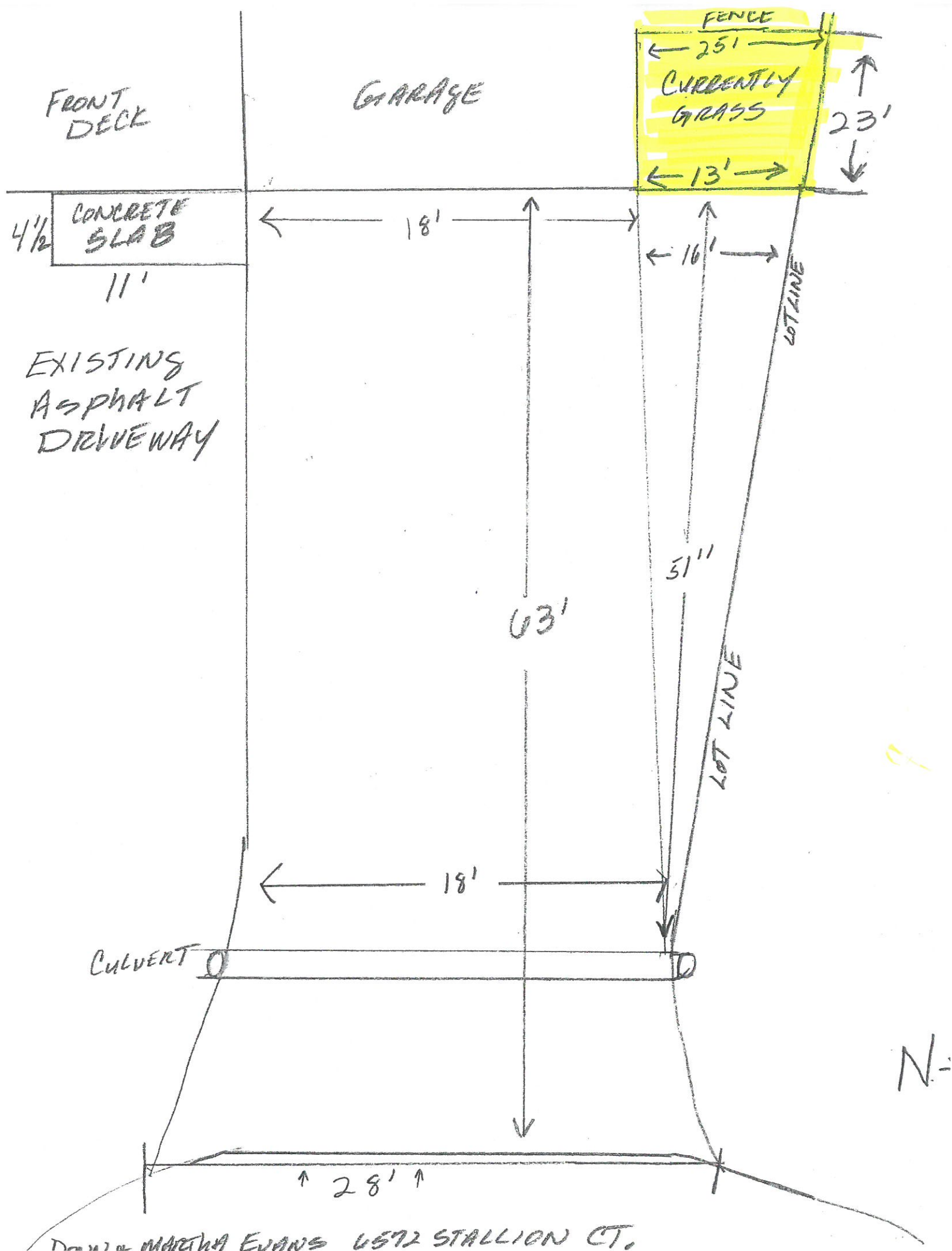
**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S):	08-20-479-007
ZONING:	Single Family Residential
ADDRESS:	6572 Stallion Court
APPLICANT:	Donn and Martha Evans 6572 Stallion Court Loves Park, Illinois 61111
OWNER:	Donn and Martha Evans 6572 Stallion Court Loves Park, Illinois 61111



Drawn by MARTHA EVANS 6572 STALLION CT.



Drawn by MARTHA EVANS 6572 STALLION CT.

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.

5672 Stallion Court

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.
-
-

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: **5672 Stallion Court**
Variance to widen driveway in front and alongside of the home

Chairman
Ben Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: June 13, 2022

SUBJECT: Text Amendment - Chapter 102, Zoning, Article V, Off-street Parking and Loading, Section 102-258, Additional Regulations; Parking, (17), (C),

Existing: Landscaping defined. Landscaping shall mean some combination of planted trees, shrubs, vines, ground cover, flowers or lawns. The landscaped strip shall be mounded a minimum of one foot above the height of the adjacent parking spaces but not exceeding a three to one slope and shall be protected from automobile traffic by curbing or some other effective barrier to the passage of automobiles. In addition, the combination or design may include rock ground cover not to exceed 20 percent of the total for any landscaped area, and such structured features as fountains, pools, art work, screens, walls, fences, or benches, but such objects alone shall not meet the requirements of this section. It is desirable and acceptable to include such nonliving structural features, but such objects shall always be used in combination with living plant material.

Proposed: Landscaping defined. Landscaping shall mean some combination of planted trees, shrubs, **perennials**, ground cover, flowers or lawn. **Lawn integrated into the landscape design, cannot exceed more than 20 percent for any landscaped area.** The landscape strip, **an 8 foot in depth strip, that spans the width of the frontage observing ingress/egress.** The strip shall be mounded a minimum of one foot above the height of the adjacent parking spaces, but not exceeding a three to one slope and shall be protected from automobile traffic by continuous curbing or some other effective barrier to the passage of automobiles. In addition, the combination or design may include rock ground cover not to exceed 20 percent of the total for any landscape area. The use of structured features such as fountains, pools, artwork, decorative screens and walls, decorative fence or benches, shall be permitted, but such objects alone shall not meet the requirements of this section. It is desirable and acceptable to include such non-living structural features, but such objects shall always be used in combination with living plant material. **The property owner or business owner shall be responsible for the maintenance, repair, and replacement of all landscape plants and materials. The landscape beds and areas shall be tended too, and maintained in a healthy growing condition, free from refuse, debris, and weeds at all times.**

RECOMMENDATION: **Approval:**
Text Amendment - Chapter 102, Zoning, Article V, Off-street Parking and Loading, Section 102-258, Additional Regulations; Parking, (17), (C),

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**
