



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
August 18, 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 **July 21, 2022** meeting
3. Report from the Zoning Office – None
4. Unfinished business –
 - A. **7199 CLINTON ROAD** – A Special Use Permit for outside storage in the IL (Light Industrial) and CR (Commercial Retail) Zoning Districts.
 - B. **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.
 - C. **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.
 - D. **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. **6800 FOREST HILLS ROAD** – A Zoning Map Amendment from the CG (Commercial General) Zoning District to the IL (Light Industrial) Zoning District.
 - B. **4907 HUMMINGBIRD TRAIL** – A Variance to install an auxiliary parking pad in front of the home in the R1 (Single Family Residential) Zoning District.
 - C. **43XX KELLEEE LANE (12-02-105-013) & 4305 KELLEEE LANE (12-02-127-006)** – A Special Use Permit for the placement of 4 buildings on each lot in the R3 (Multi-family Residential) Zoning District.
 - D. **7270 E. RIVERSIDE BOULEVARD** – A Special Use Permit for a fast food drive-thru establishment in IL_CR (Light Industrial_Commercial Retail) and the E. Riverside/I90 Overlay District.
 - E. **6250 N. SECOND STREET** – A Special Use Permit for accessory residence in the CR (Commercial Retail) Zoning District.

6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer

MINUTES OF THE LOVES PARK ZONING BOARD OF APPEALS
THURSDAY, JULY 21, 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, JASON VANDIVER, CATHY NELSON, JOSEPH GIACONE, LUKE CARLSON, LYNDI TOO HILL

MEMBERS ABSENT: MADELINE STUCKY

OTHERS PRESENT: ZONING OFFICER - ANDREW QUINTANILLA,
ATTORNEY PHIL NICOLosi
NATHAN BRUCK, COMMUNITY DEVELOPMENT/PLANNING

Mr. Danielson announced that items considered for recommendation at this meeting will be forwarded to the Community Development Committee meeting on August 1, 2022, at 6:15 p.m.

2. MINUTES

Mrs. Nelson moved to approve the minutes from the meetings held May 19, and June 16, 2022. Second by Mr. Carlson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

No Report

4. UNFINISHED BUSINESS

Unfinished Items A, B, and C will be discussed together and voted on separately.

- A. 1500 and 1502 E. RIVERSIDE BLVD.** – Special Use Permit to allow 28 mini-warehouse storage units with outside storage in the CG Zoning District. Appropriate notice has been given.

Petitioner not present.

- B. 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.

- C. 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.

Mrs. Nelson moved to amend the Agenda and move Unfinished Business Items A, B, and C, to the end of the Agenda, to allow more time for the Petitioner to arrive. Second by Mrs. Toohill.

Mrs. Nelson moved to lay over the unfinished business items A, B, C until next month. Second by Mr. Giacone.

MOTION APPROVED 5-0

5. NEW BUSINESS

- A. 7003 N. ALPINE ROAD** – An amendment to a Special Use Permit for an indoor sports facility in the CR Zoning District. Appropriate notice has been given.

Jose Ramirez, 7003 N. Alpine Road, Loves Park, IL, was sworn in as Petitioner and he indicated that he is requesting an amendment to a previously issued Special Use Permit to allow for private parties, banquets, receptions, and special events. He is also requesting to use overflow parking with written permission from adjacent businesses and/or landowners.

Mrs. Nelson asked, since there were noise and security concerns with other events in the past, what is he going to be doing differently this time?

Mr. Ramirez stated that he has hired security and will install additional insulation to the building to reduce the noise coming out of the building. He also plans to close at midnight.

Stefano Bimbi, 6927 N. Alpine Road, Loves Park, IL, was sworn in as objector and he indicated that he is the neighbor to the south of Stateline Sports and he stated that the Petitioner is not a good neighbor. He stated that there are problems with parking and trash on his property, and loud music that rattles his building. Mr. Bimbi added that there are events at Stateline Sports every weekend.

Gerald Olson, 7122 Forest Hills Road, Loves Park, IL was sworn in as objector and he stated that he has people wandering around his backyard and leaving garbage everywhere and the loud music is disruptive to his family. Mr. Olson added that he is in support of sports being held in the facility.

Glen Stone, 6903 N. Alpine Road, Loves Park, IL was sworn in as objector. Mr. Stone commented that he owns several properties adjacent to Stateline Sports, and he has concerns about the noise and litter.

Mrs. Nelson moved to approve an amendment to a Special Use Permit for an indoor sports facility in the CR Zoning District for 7003 N. Alpine Road, the amendment is to #6. Overflow parking shall only be permitted with written consent of the adjacent businesses or land owners. Second by Mr. Carlson. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

- B. 7199 CLINTON ROAD** – A Special Use Permit for outside storage in the IL and CR Zoning Districts. Appropriate notice has been given.

Mrs. Nelson moved to lay over the petition until next month. Second by Mr. Vandiver.

MOTION APPROVED 5-0

- C. 7170 E. RIVERSIDE BLVD.** – A Special Use Permit for a fast food drive-thru establishment in the CR and E. Riverside/I90 Overlay District.

Robert Grottke, 1555 W. Lane Road, Machesney Park, IL was sworn in as Petitioner and indicated that he is requesting a Special Use Permit for a fast food drive-thru restaurant and he agreed to the conditions recommended by staff.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for a fast food drive-thru establishment in the CR and E. Riverside/I90 Overlay District for the property known as 7170 E. Riverside Blvd. with the following conditions:

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 Section 102-132.
3. The establishment shall meet the building material requirements of section 102-174 of the city's code of ordinance, 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 landscape plan provided in the Agenda Packet will be followed and will include berms, mulch and trees as presented and approved by staff.
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 to, 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-ft 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.

Mrs. Nelson moved to approve a Special Use Permit for a fast food drive-thru establishment in the CR and E. Riverside/I90 Overlay District for the property known as 7170 E. Riverside Blvd. 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

- 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 Zoning District.

Donn Evans, 6572 Stallion Court, Loves Park, IL was sworn in as Petitioner and he indicated that he is requesting a Variance to install an auxiliary parking pad in front of his home and alongside of his garage, to allow for additional parking.

No objectors present.

Mrs. Nelson moved to approve a Variance to install an auxiliary parking pad in front of the home and alongside of the garage in the R1 Zoning District for the property known as 6572 Stallion Court. Second by Mr. Giacone. The findings of the facts have been met and discussed in accordance with the zoning recommendations provided.

MOTION APPROVED 5-0

- E. TEXT AMENDMENT** – Chapter 102, Zoning, Article V, Off-street Parking and Loading, Section 102-258, Additional Regulations; Parking, (17), (C).

Mrs. Nelson moved to lay over the Text Amendment to Chapter 102, Zoning, Article V, Off-street Parking and Loading, Section 102-258, Additional Regulations; Parking, (17), (c). Second by Mr. Carlson.

MOTION APPROVED 5-0

6. PUBLIC PARTICIPATION AND COMMENT

None

7. GENERAL DISCUSSION

Mrs. Toohill moved that the meeting be adjourned. Second by Mr. Carlson. Motion carried by voice vote. The meeting adjourned at 6:40 p.m.

Sheila Mills, Secretary



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:

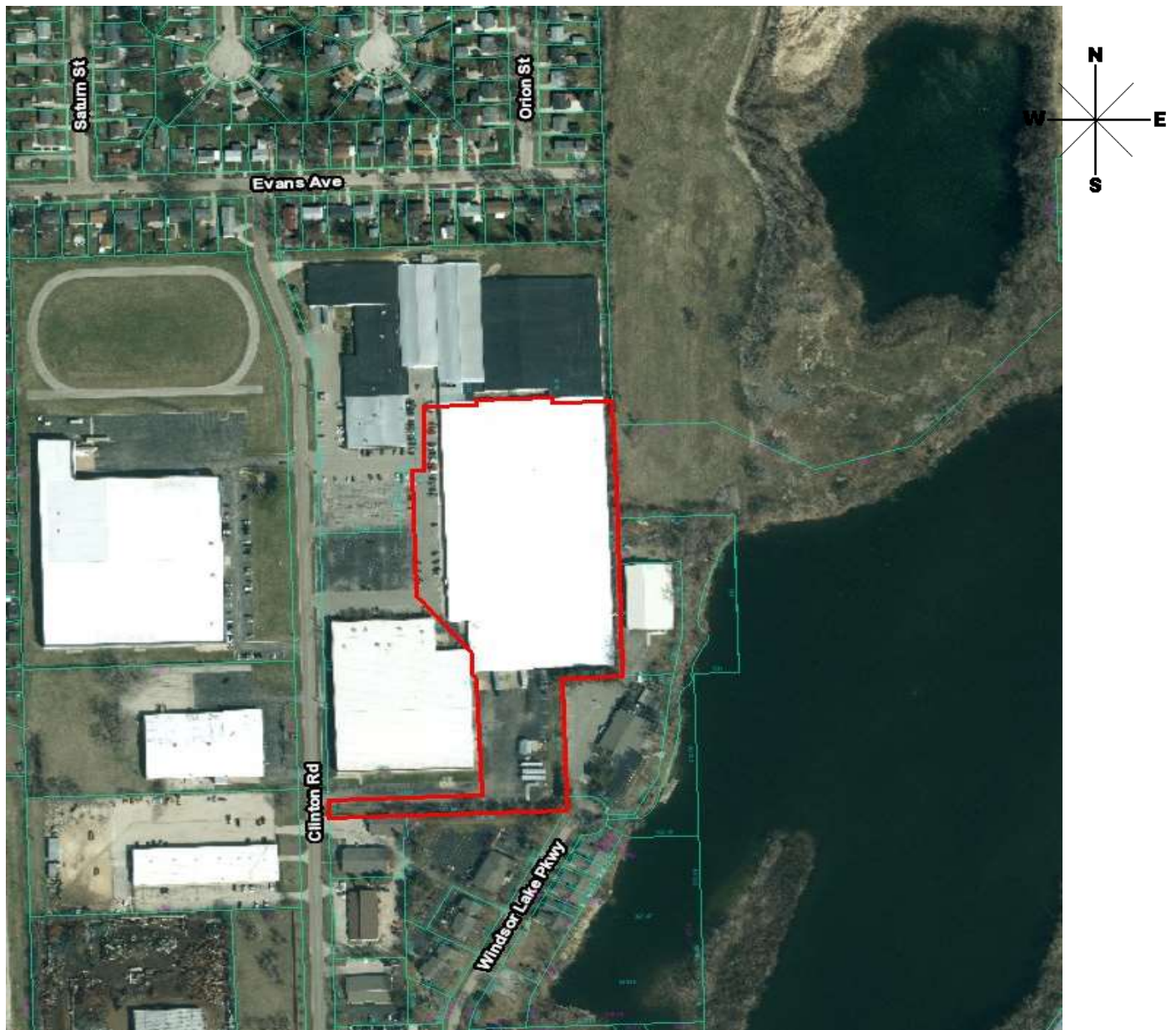
See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S): 08-32-302-019

ZONING: Light Industrial & Commercial Retail

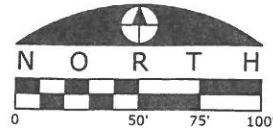
ADDRESS: 7199 Clinton Road

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

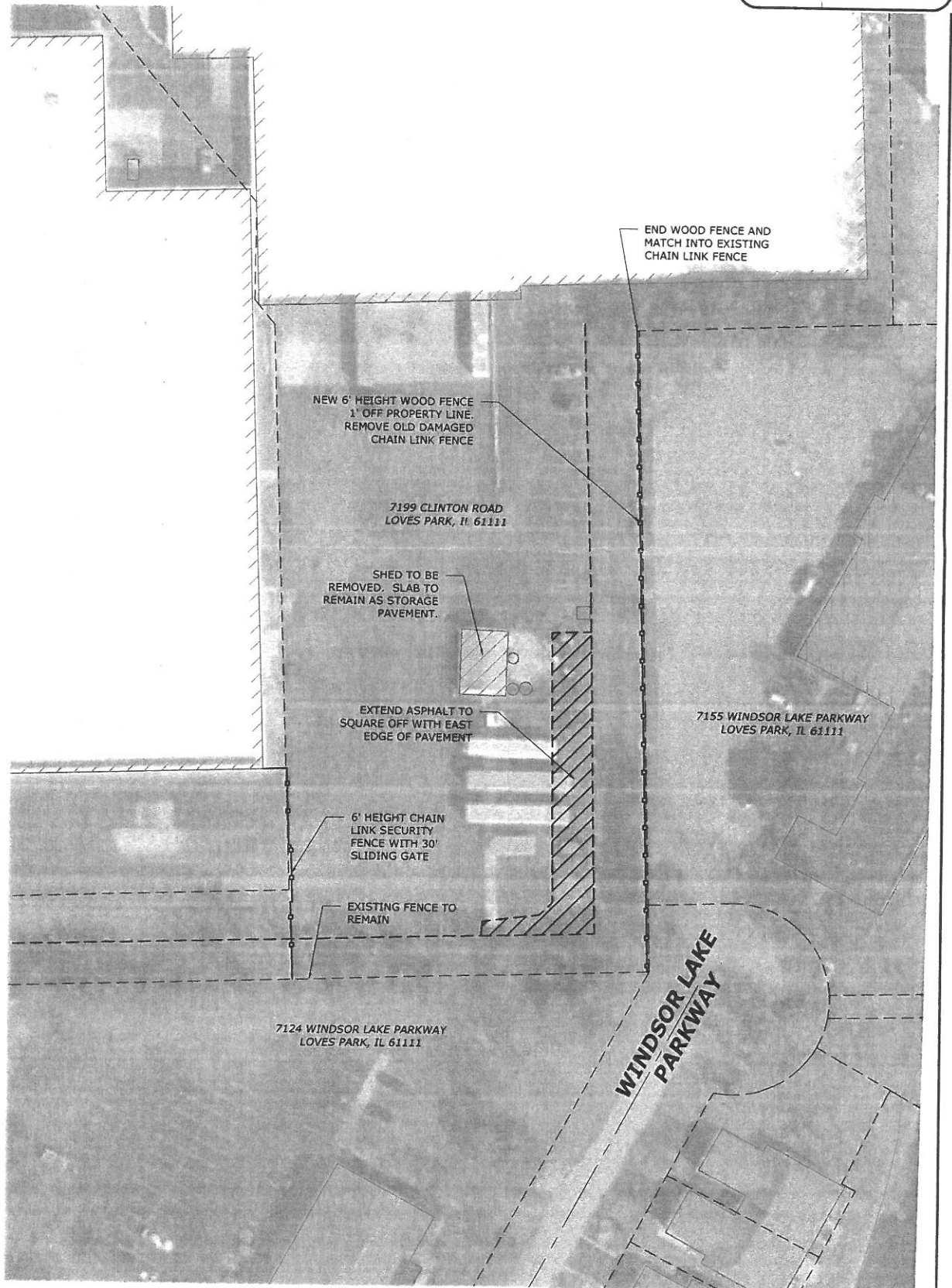
Special Use Permit Exhibit
7199 Clinton Road, Love Park IL 61111
05/17/2022



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.
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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 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:**



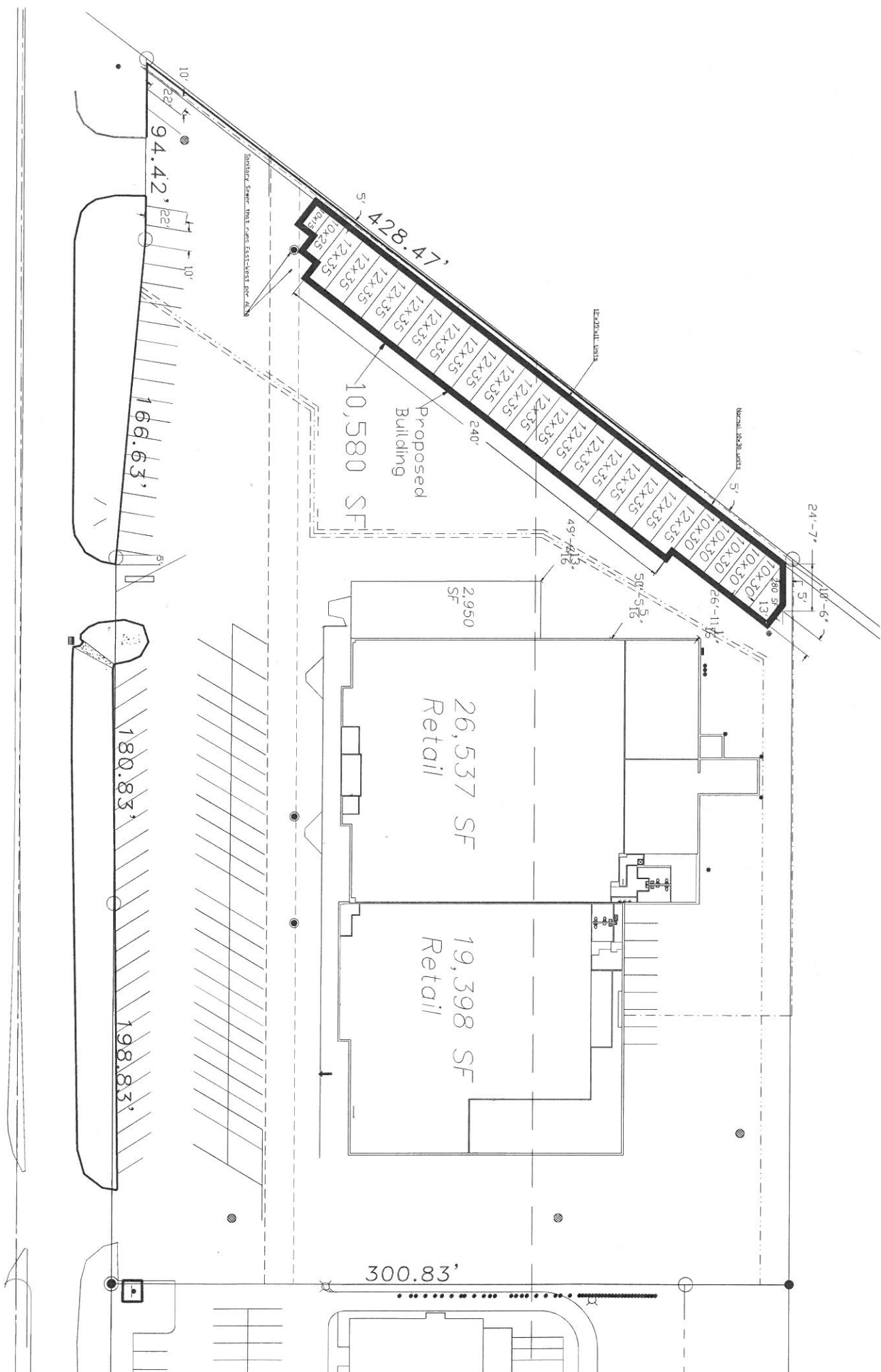
PARCEL NUMBER(S):	12-05-176-016 & 12-02-176-017
ZONING:	CG (Commercial General)
ADDRESS:	1500 and 1502 E. Riverside Boulevard
APPLICANT:	Dyn Sycamore Investments, LLC 6801 Spring Creek Road Rockford, Illinois 61114
OWNER:	Dyn Sycamore Investments, LLC 6801 Spring Creek Road Rockford, Illinois 61114

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.

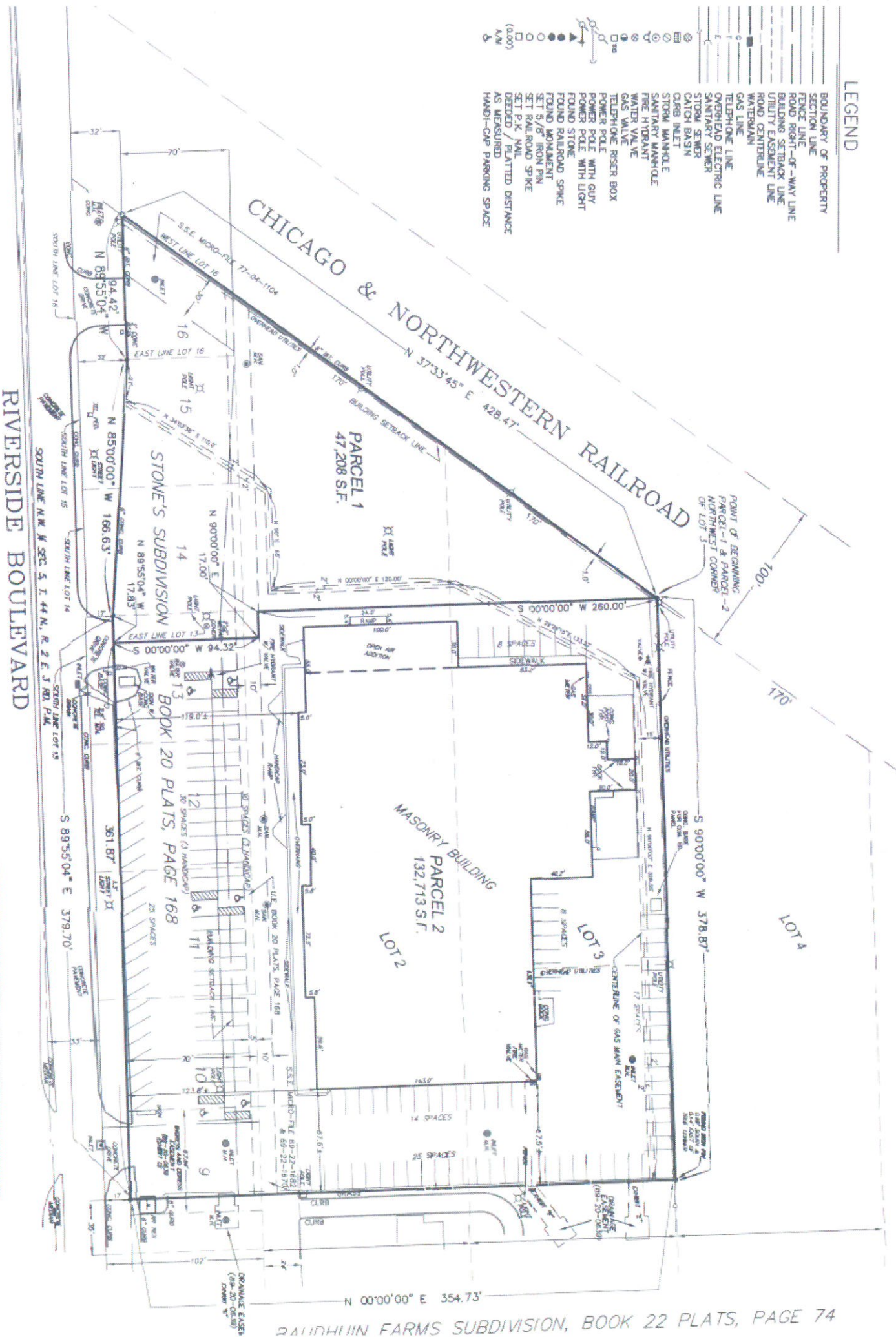
Dyn Sycamore Investments, L.L.C. is proposing a permanent 10,580 square foot exterior access mini warehouse storage building along the west side of 1500 E. Riverside and partially on the northwest corner of 1502 E. Riverside. The storage building would contain approximately 28 individual storage units. 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.



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



DAVIDHILL FARM SUBDIVISION, BOOK 22 PLATS, PAGE 74

RIVERSIDE BOULEVARD

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

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



Landscape proposed:

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

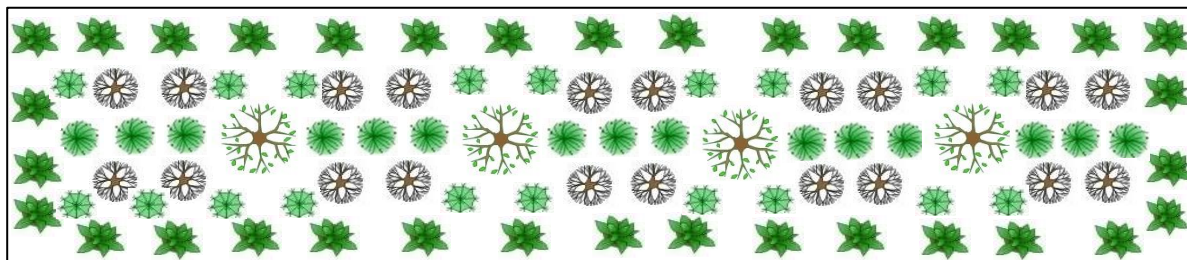
(39) "GREEN SEA JUNIPER" - JUNIPERIS CHINENSIS - 3-GALLON BUCKET-SIZED - SPACED APPROX. 12'-0" APART

(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:**

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 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: August 3, 2022

SUBJECT:	A Zoning Map Amendment from the CG (Commercial General) Zoning District to the IL (Light Industrial) Zoning District.
LOCATION:	6800 Forest Hills Road
ZONING DISTRICT:	North IH (Heavy Industrial) South CG (Commercial General) East CR (Commercial Retail) West IH (Heavy Industrial) and CG (Commercial General)
PROPERTY INFORMATION:	
Requirement for IL:	Front yard: 30 ft. minimum Side yard: 10 feet Rear yard: 0 feet
Provided:	Front yard: Existing structure is set back 50 feet Side yard: Greater than 10 feet Rear yard: No rear setback required
Findings:	<p>The proposed amendment would not interfere with any policies or proposals of the city. The area is designated for commercial development, however, interest for development of the sight has been slow. The property abuts heavy industrial zoned properties to the north and west. It also is adjacent to light industrial zoned properties to the north. The map amendment would be complimentary to surrounding uses, and would have little to no direct impact to the normal orderly development in the zoning district. The development would have to meet guidelines for development established by the city once redevelopment of the property begins. Any development standards that the owner of the property did not want to make would require zoning and city council approval. The property is just over 10 acres, and the initial development would include using the remaining existing structure on the parcel. The remaining structure will be required to meet building code standards as part of the plan review process before occupancy. The owner has sufficient capacity to develop the property without the concern of overcrowding the land. The light industrial development would not pose any adverse impact on the general welfare of peoples in the surrounding area, or negatively impact adjacent existing uses.</p>
RECOMMENDATION:	Approval - A Zoning Map Amendment from the CG (Commercial General) Zoning District to the IL (Light Industrial) Zoning District.
ATTACHMENTS:	See attachments

**ZONING BOARD
RECOMMENDATIONS:**

APPROVAL / DENIAL / TABLED

Vote: _____

CONDITIONS:

AS PRESENTED / AMENDED / N/A

AUDIENCE COMMENTS:



ADDRESS: 6800 FOREST HILLS ROAD

PARCEL NUMBER: 12-05-176-026 & 12-05-176-020

PROPERTY OWNER: BORDER TOWN PROPERTIES
7203 CLINTON ROAD
LOVES PARK, ILLINOIS 61111

APPLICANT: BORDER TOWN PROPERTIES
7203 CLINTON ROAD
LOVES PARK, ILLINOIS 61111

ALZANOPS AND TETEL SURVEY

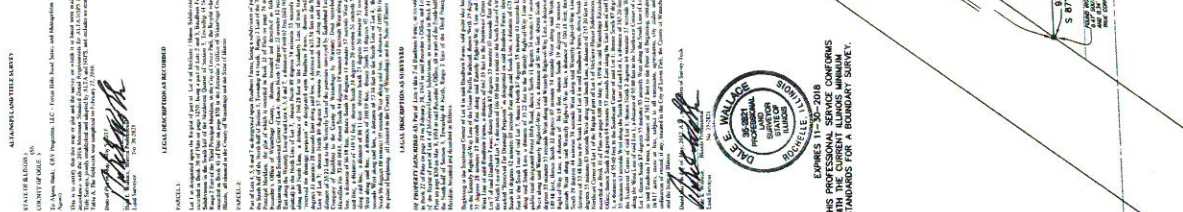
BEAT (OF BLOCK) : 55

COINITY OF DOLE : 3

To: Alphonse, Mr., CRV Negatives, I.L.C. - French Trade Road Service, and Metropolitan Life Society.

This is to certify that the map or plan and the survey on which it is based were made as required by the provisions of the Land Survey Act, 1884, and the Land Survey Regulations, 1885, and that the same have been submitted and adopted by A.L.T.A. and M.T.S.T., and include no matter of a doubtful or disputed nature.

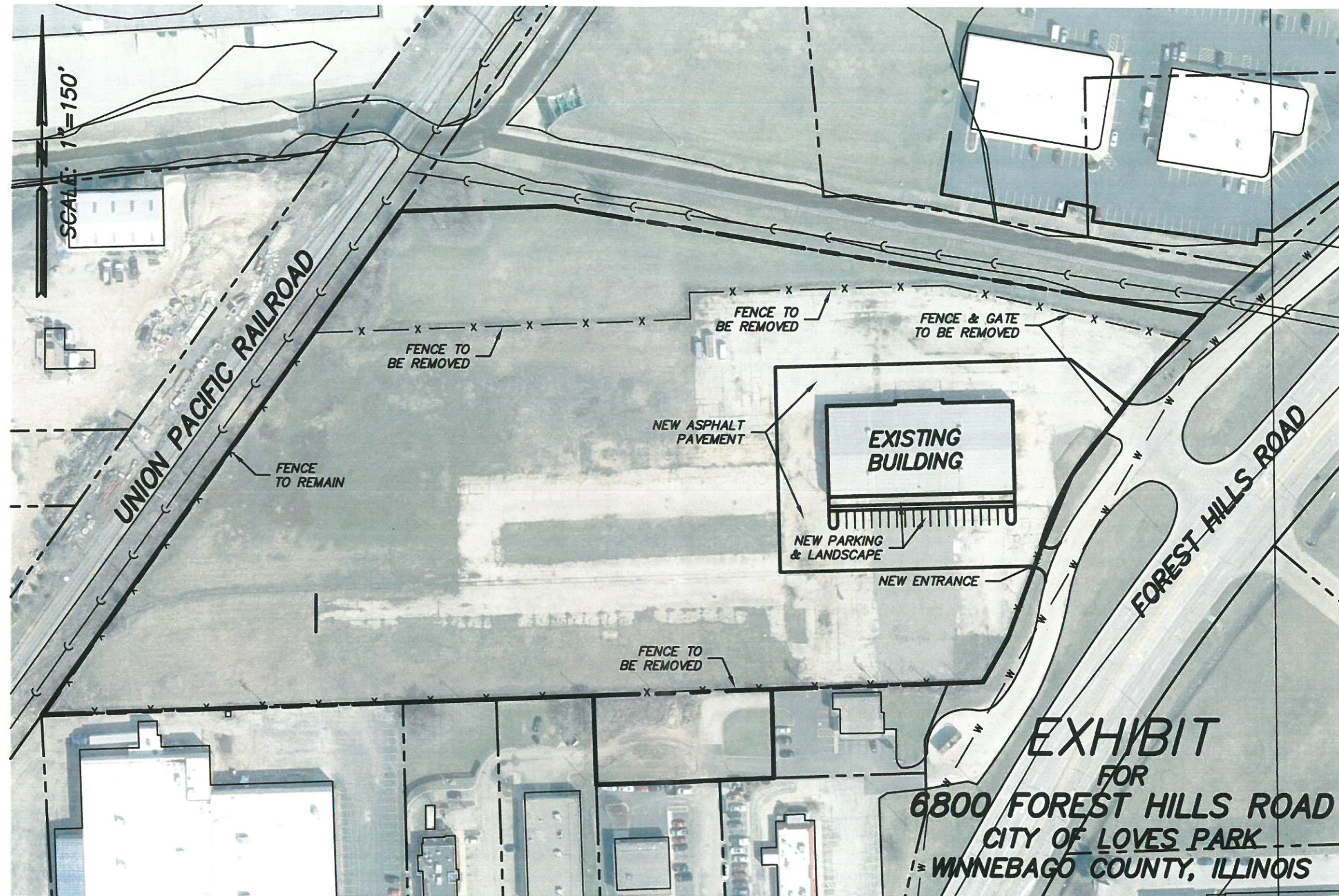
Witness my hand and seal this 17th day of February 1906.



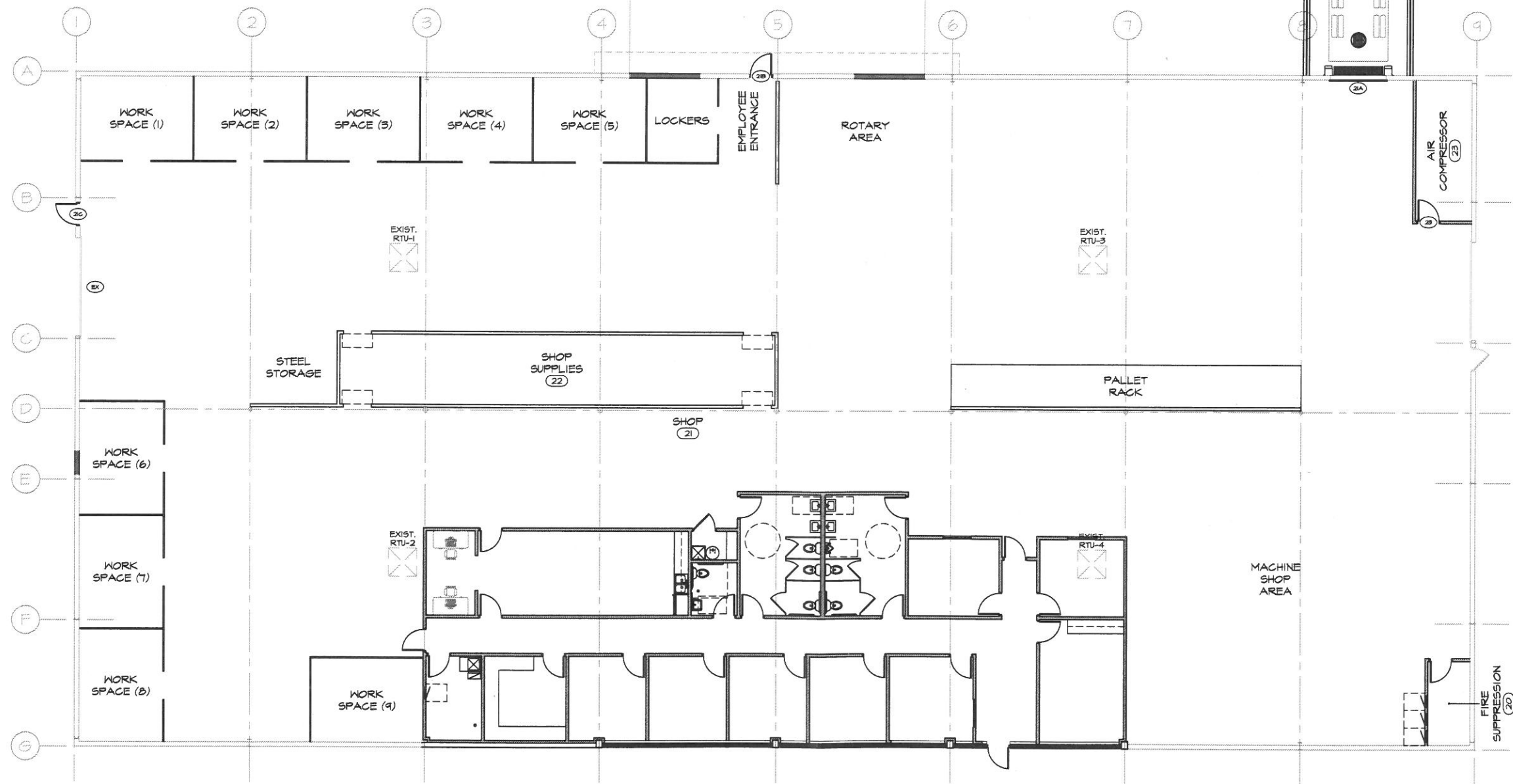
SURVEY-TECH
A DIVISION OF C.E.S., INC.
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-D01260
P.O. BOX 834
ROCHELLE, ILLINOIS 61068
(815)-562-8771 FAX: (815)-562-8555

3-01-2017	1 = 00	REVISED: 5-09-2017
ARC		
ACAD: S11872do		FILE NUMBER: S118-17

C:\Land Projects 2009\17967 Dan Baumann Proposed Development\dwg\1796701.dwg, 7/11/2022 1:37:53 PM, JCW



PREPARED BY:
R.K. JOHNSON & ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
1515 WINDSOR ROAD LOVES PARK, ILLINOIS 61111
(815) 633-5097 FAX (815) 633-4593
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004994
JULY 11, 2022 JOB NO. 17967
PREPARED FOR: UNITED TOOLERS OF ILLINOIS



 **FLOOR PLAN**
SCALE: 1/8" = 1'-0"

**UNITED TOOLERS
OF ILLINOIS**
6800 FOREST HILLS RD.
LOVES PARK, IL 61111

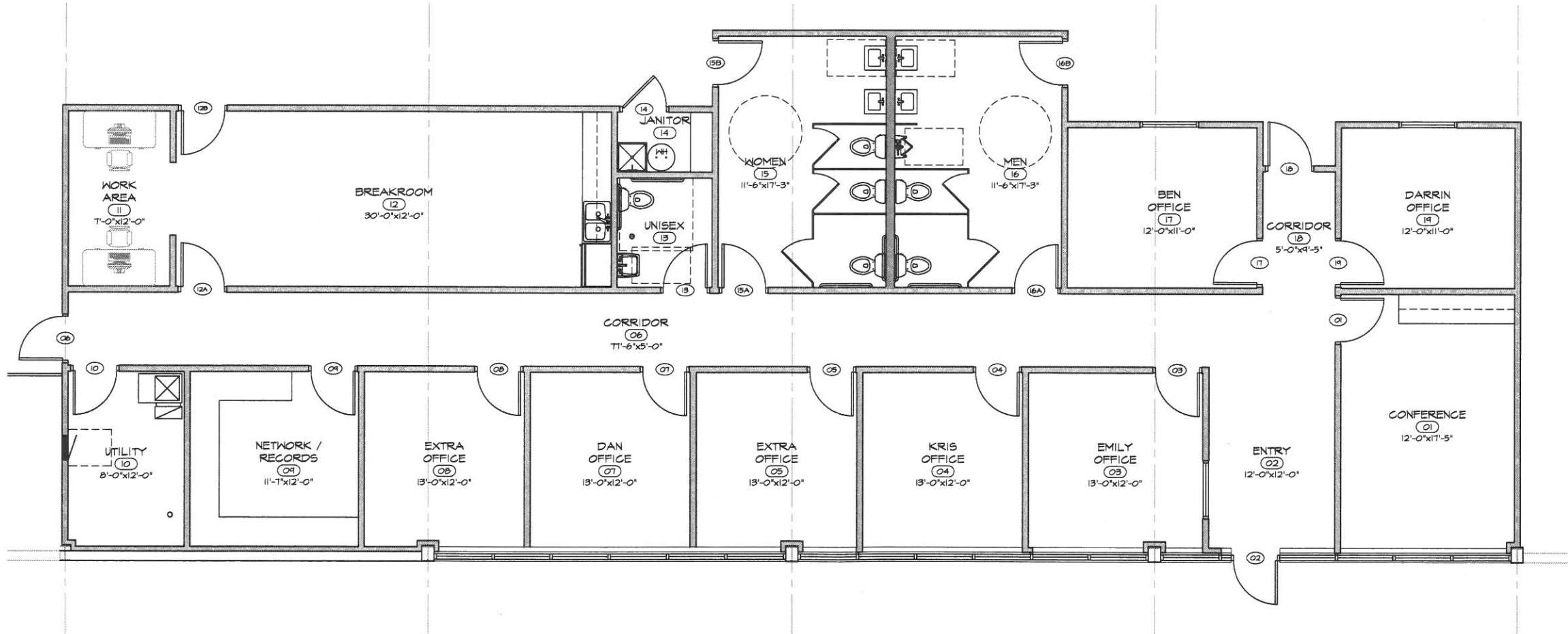
GENERAL CONTRACTOR
Midwest Construction of N. IL. Inc.
11039 Main Street Unit #1
Roscoe, Illinois 61073
815-623-5552

ARCHITECT:
JEFFREY A. MYERS, P.C.
10395 GLEN ABBEY CLOSE
ROCKFORD, ILLINOIS 61107
(815) 540-5823
E-mail: j.a.myers@mchsl.com

DATE: 07/11/22
REVISIONS:

PROJECT NO. 156-22

A1



 **FLOOR PLAN**
SCALE: 1/4" = 1'-0"

**UNITED TOOLERS
OF ILLINOIS**
6800 FOREST HILLS RD.
LOVES PARK, IL 61111

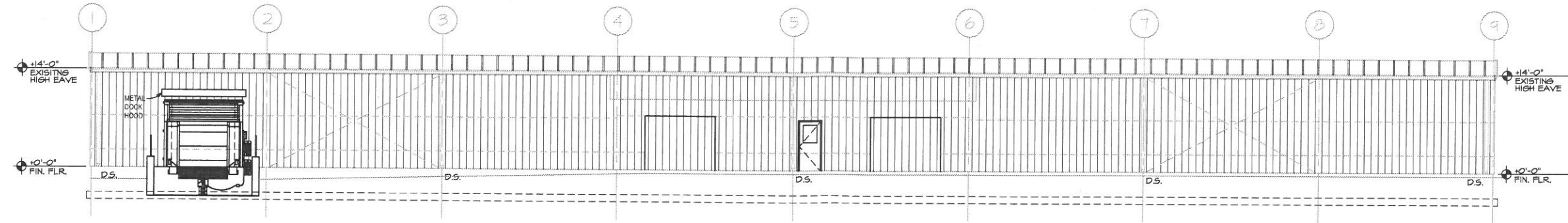
GENERAL CONTRACTOR
Midwest Construction of N. IL. Inc.
11039 Main Street Unit #1
Roscoe, Illinois 61073
815-623-5552

ARCHITECT:
JEFFREY A. MYERS, P.C.
10395 GLEN ABBEY CLOSE
ROCKFORD, ILLINOIS 61107
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E-mail: j.a.myers@mchsl.com

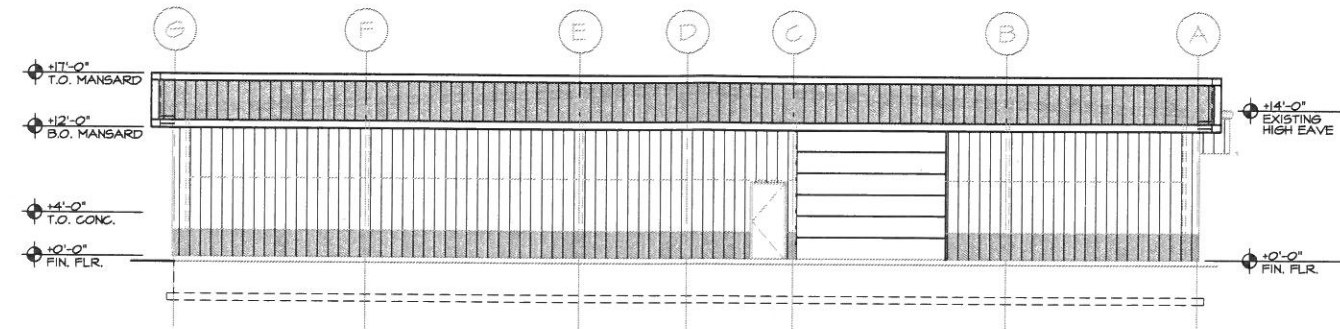
DATE: 07/12/22
REVISIONS:

PROJECT NO.: 156-22

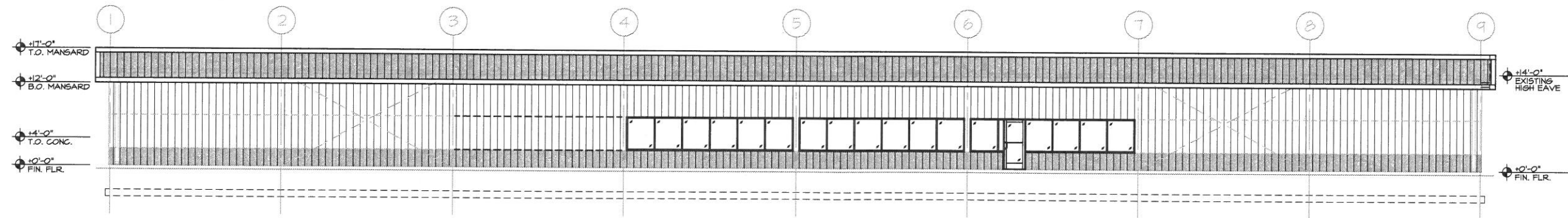
A2



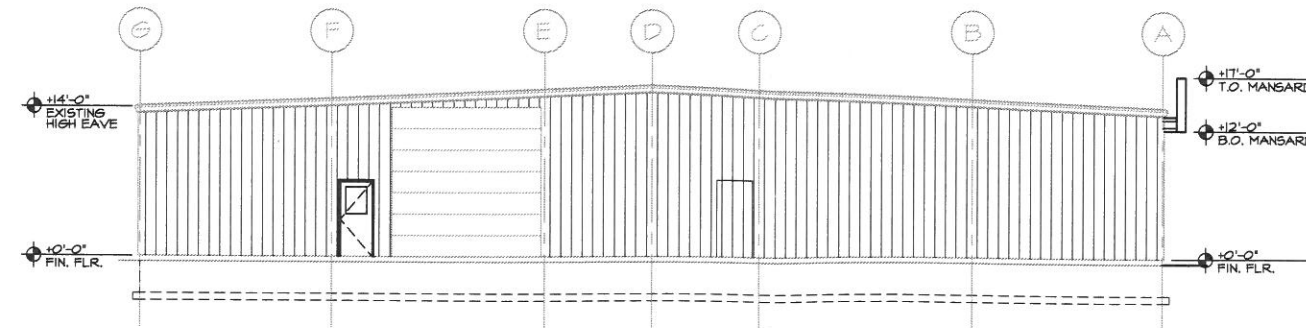
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

PROJECT NO. 156-22

A3

DATE: 07/12/22

REVISIONS:

ARCHITECT:

JEFFREY A. MYERS, P.C.
10395 GLEN ABBEY CLOSE
ROCKFORD, ILLINOIS 61107
(815) 540-5823
E-mail: j.a.myers@mchsl.com

GENERAL CONTRACTOR

Midwest Construction of N. IL. Inc.
11039 Main Street Unit #1
Roscoe, Illinois 61073
815-623-5552

**UNITED TOOLERS
OF ILLINOIS**

6800 FOREST HILLS RD.
LOVES PARK, IL 61111

Recommended Findings of Fact of City Staff based on the information provided by the applicant

Findings as Required by Loves Park Ordinance - Each enumerated finding must be considered before a petition for a map amendment may be approved.

Mark "Yes," if the findings have been considered and found to be relevant and true. Mark "No," if the findings have been considered and found to be not true. If you mark "No," please explain why in the space provided below each finding. Mark "N/A," if the findings are not applicable to the situation.

Location: 6800 Forest Hills Road

ZBA

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: 6800 Forest Hills Road
ZMA CG to IL

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: August 3, 2022

SUBJECT: A Variance to install an auxiliary parking pad in front of the home in the R1 (Single Family Residential) Zoning District.

Location: 4907 Hummingbird Trail

R1 Requirements: Front yard setback: 30 foot building setback
Side yard setback: 6 feet
Rear yard setback: 30 feet
Driveway width: 20 feet at the property line

Provided: Front yard setback: 33+ feet building setback on Hummingbird Trail
Front yard setback: 33 foot building setback on Shadybrook Trail
Side yard setback: 14 feet
Rear yard setback: 55+ feet
Driveway width: 17.6 feet at the property line

Findings: Strict or literal interpretation and enforcement of the regulation would result in unnecessary hardship. The setback on the western frontage restricts the owners ability to expand the accessory use space for an addition to the garage. The owner would like to increase parking for this property, but is limited because there two frontages, which is the basis for the hardship. Strict enforcement of the provision would restrict the owner from enjoying her property the way other owners in the zoning district enjoy their properties. The variation will not constitute special privilege. The owner has the capacity to make improvement to the home, which would allow for additional parking space, but because of the secondary frontage, it would not be possible unless the owner sought zoning for development. The variation will not have a detrimental impact to adjacent properties, or on existing uses already permitted in the zoning district.

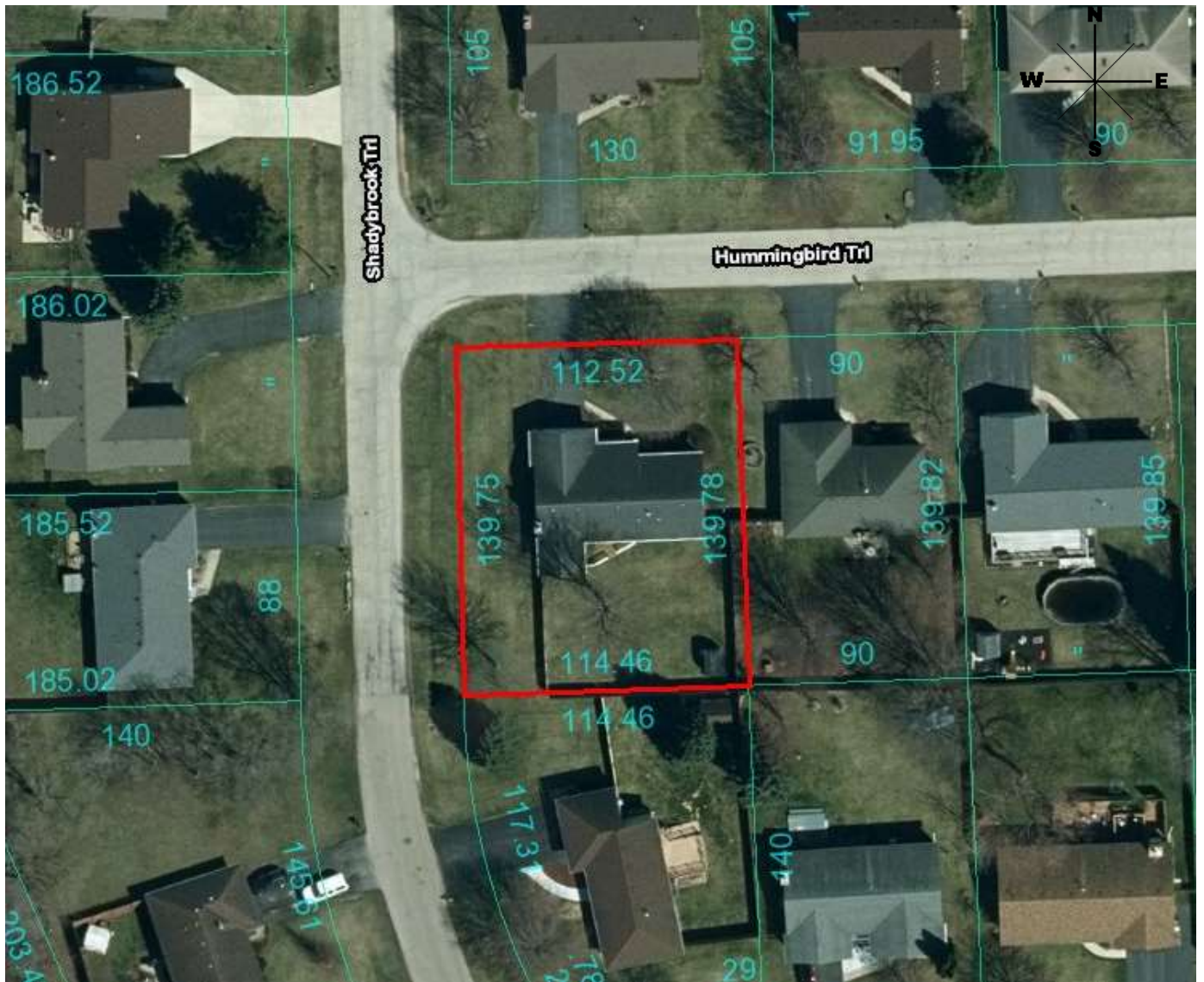
RECOMMENDATION: **Approval** - A Variance to install an auxiliary parking pad in front of the home in the R1 (Single Family Residential) Zoning District.

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

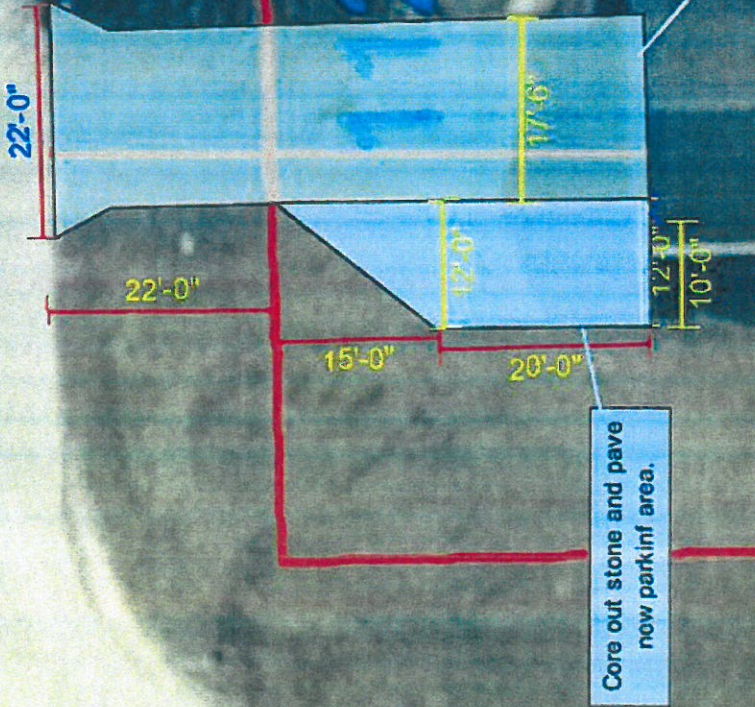
VOTE: APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



PARCEL NUMBER(S):	08-20-480-001
ZONING:	R1 (Single Family Residential)
ADDRESS:	4907 Hummingbird Trail
APPLICANT:	Norwest Construction, Inc. 82 Prairie Hill Road S. Beloit, Illinois 61080
OWNER:	Norma Hoffman 4907 Hummingbird Trail Loves Park, Illinois 61111

NORWEST
CONSTRUCTION INC.
---965-7283---
FREE ESTIMATES



139.78

139.75

90

2.52

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.

4907 Hummingbird Trail

 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: **4907 Hummingbird Trail**
Variance for an auxiliary parking pad

Chairman
Ben Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: August 11, 2022

SUBJECT: A Special Use Permit to allow for the placement of 4 buildings on each lot in the R3 (Multi-family Residential) Zoning District.

LOCATION: 43XX Kellee Lane (12-02-105-013) and 4305 Kellee Lane (12-02-127-006)

COMPREHENSIVE PLAN: Multi-family (Planned Unit Development)

ZONING DISTRICT:

North	R3 (Multi-family)
South	CR (Commercial Retail)
East	R3 (Multi-family) and IL_CR (Light Industrial_Commercial Retail)
West	R3 (Multi-family)

PROPERTY INFORMATION AND RELEVANT FACTS:

Building setbacks and requirements:

Required:

Front yard:	30 feet
Side yard:	6 feet
Rear setback:	20 feet
Lot size:	8,800 square feet
Lot size p/unit:	2,900 square feet

Provided: Lot 3

Front yard:	30 feet
Side yard:	greater than 6 feet
Rear setback:	greater than 20 feet
Lot size:	56,628 square feet
Lot size p/unit:	3,539 square feet

Provided: Lot 107

Front yard:	30 feet
Side yard:	greater than 6 feet
Rear setback:	greater than 20 feet
Lot size:	71,961 square feet
Lot size:	3,598 square feet

Dumpster enclosure:

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

Provided:	A dumpster enclosure for either property in not indicated on the materials provided.
Landscaping:	
Required:	A landscape plan is required for review and approval. Landscaped lots shall be required to provide landscaping based on a point system. The point system shall be applied to each parcel and the landscaping shall be distributed equally between each dwelling. All maintenance shall be the responsibility of the property owner or association.
Lot 3:	Two hundred and twenty-six (226) points are required
Lot 17:	Two hundred and eighty-eight (288) points are required
Provided:	The landscape plans for both parcels meet the requirements established in the R3 zoning district.
Parking:	
Required:	Off-street parking facilities in any residential district shall be used solely for the parking of passenger automobiles owned by the occupants of the dwelling structures to which such facilities are accessory or by guests of the occupants.
Provided:	The development will provide a garage for each unit, with adequate parking for all uses.
Findings:	The establishment of the special use will not be detrimental to or endanger the comforts or general welfare of the residents or business in the zoning district. The area has been developed with many multi-family dwellings over the years. There have been no complaints on the existing multi-family units that have been in this area, and it is not anticipated there will be any with this development. The landscaping for previous development has finally begun to fill out and provide some presence to the yards for this area. The owners proposals meets a points requirement, however, staff would like to see trees that will bulk up over time. The Arborvitae and Cherry Trees will do well as accent trees, but substantial trees such as Bur Oaks, White Spruce, and Red Maples will grow 25ft or taller, 15 to 20 ft in width, and do more to provide the residents of the development increased privacy, noise reduction, dust control, and serve as a filter for the artificial light. These trees are consistent with how the landscaping was developed in the area. The establishment of the special use will not have an adverse impact on the zoning district. The use should not impair or diminish property values within the neighborhood. The normal orderly development for this area has been for multi-family uses, so the establishment of the use, will be consistent with how the area has has developed. The development will provide adequate utilities, drainage, ingress/egress as part of the plan review process, before site development can occur.
RECOMMENDATION:	Approval - A Special Use Permit to allow for the placement of 4 buildings on each lot in the R3 (Multi-family Residential) Zoning District.
	Conditions: <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. 3. The owner shall use the landscaping provided for the petition as accents. The owner shall include landscape berms on each frontage, filled with accents, but also include Bur Oaks, White Spruce, and Red Maples. 4. The property owner shall be responsible for the maintenance, repair, and replacement of all landscape plants, trees, and materials. The landscaping shall be tended too, and maintained in a healthy growing condition, free from refuse,

debris, and weeds at all times.
5. The Special Use Permit shall be renewed 1 year from the date of approval.

ATTACHMENTS:

See attachments

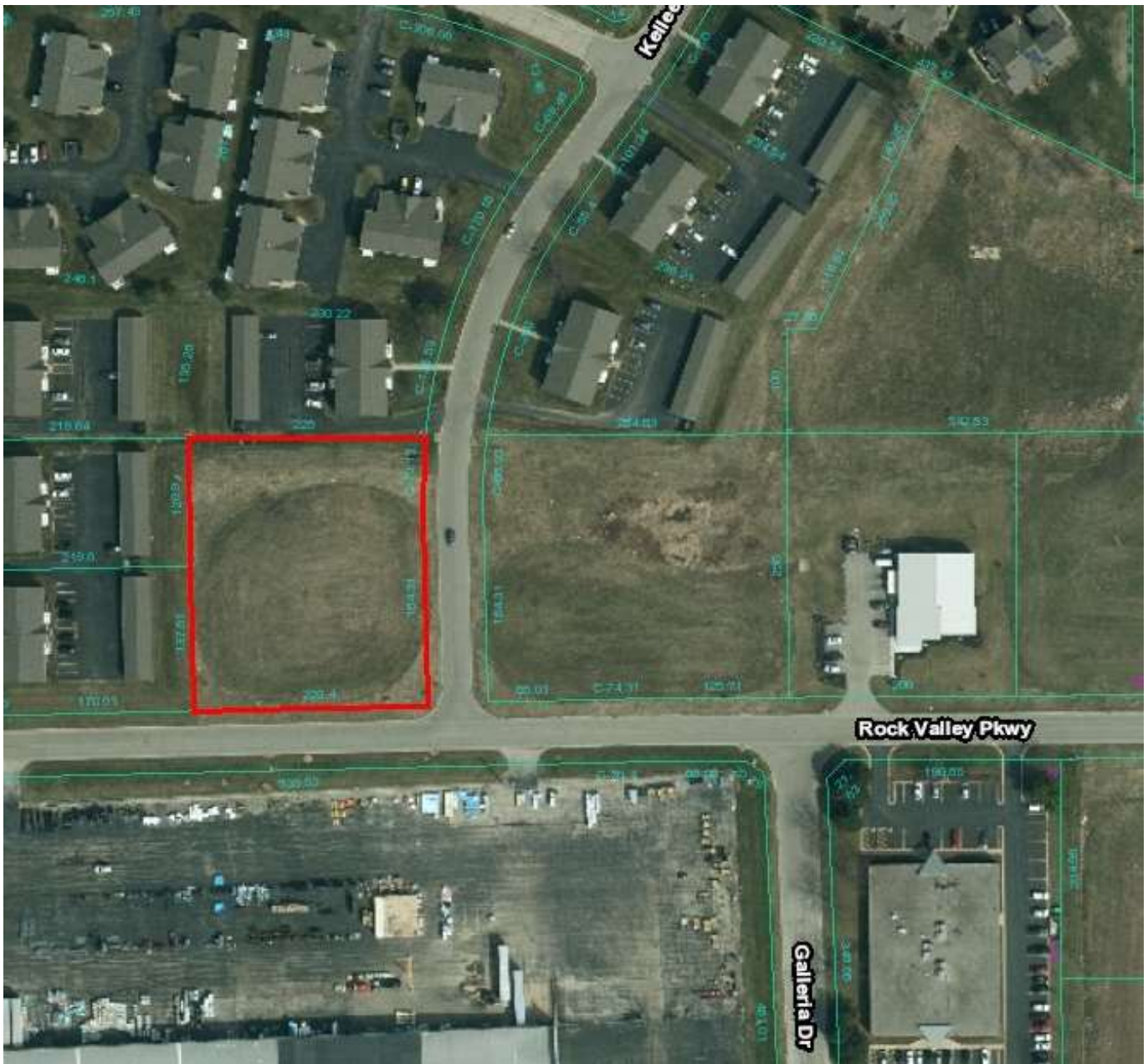
**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**

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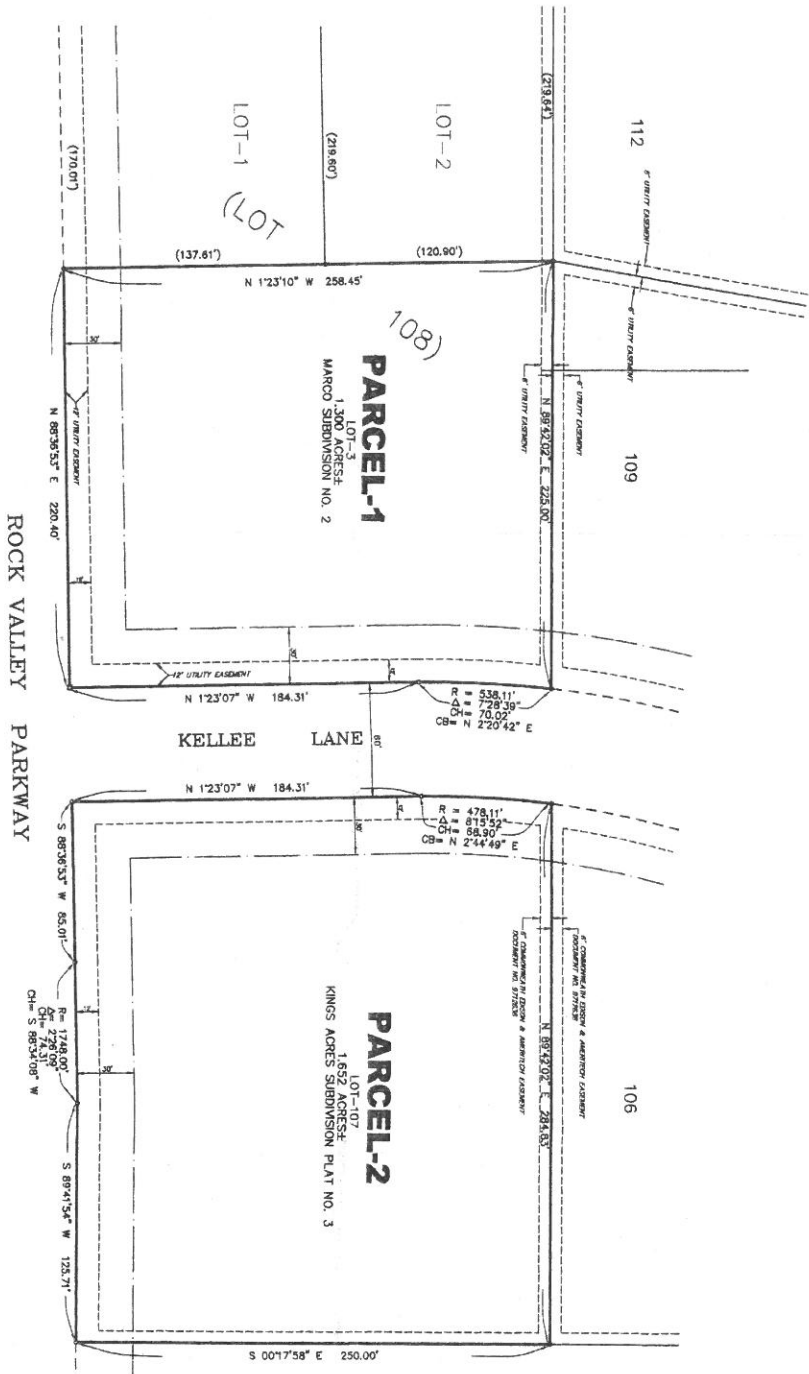
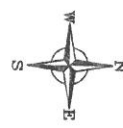


ADDRESS(S): 43XX KELLEE LANE & 4305 KELLEE LANE

PARCEL NUMBER: 125-02-105-013 & 12-02-127-006

PROPERTY OWNER: ASHFORD HOLDINGS, LLC
HARRY ROBERTSON
2863 W. 95TH STREET, STE 143-354
NAPERVILLE, ILLINOIS 60564

APPLICANT: ASHFORD HOLDINGS, LLC
HARRY ROBERTSON
2863 W. 95TH STREET, STE 143-354
NAPERVILLE, ILLINOIS 60564



LEGEND

- BOUNDARY OF SURVEY
- BOUNDARY OF ROAD
- BOUNDARY OF LOT
- BOUNDARY OF EASEMENT
- BOUNDARY OF UTILITY EASEMENT
- BOUNDARY OF FLOODPLAIN
- BOUNDARY OF WETLAND
- BOUNDARY OF OTHER EASEMENT
- BOUNDARY OF OTHER UTILITY EASEMENT
- BOUNDARY OF OTHER FLOODPLAIN
- BOUNDARY OF OTHER WETLAND
- BOUNDARY OF OTHER EASEMENT
- BOUNDARY OF OTHER UTILITY EASEMENT
- BOUNDARY OF OTHER FLOODPLAIN
- BOUNDARY OF OTHER WETLAND



THIS SURVEYING SERVICE CONTAINS
STANDARDS FOR A BOUNDARY SURVEY
FIELD WORK COMPLETED ON 1-19-22

SURVEY-TECH	
A DIVISION OF C.E.S. INC.	
1000 N. W. 10th St. Suite 100	
Ocala, FL 32110	
(352) 292-5771 FAX: (352) 292-5655	
www.ces-inc.com	
DATE: 1-21-2022	
SCALE: 1" = 30'	
DRAWN BY: DEW	
CHECKED BY: DEW	
PROJECT: HINSHAW & CULBERTSON LLP	
FILE NUMBER:	WINNEBAGO COUNTY
DATE: 01-21-2022	WINNEBAGO COUNTY

CERTIFICATE OF SURVEY

STATE OF ILLINOIS)
COUNTY OF OCLE) SS

I, Dale E. Wallace, an Illinois Professional Land Surveyor, hereby certify that the following described property was surveyed by me or under my direct supervision. I further certify that this plat is a true and correct representation of said survey to the best of my knowledge and belief. Dimensions are given in feet and decimals of a foot thereof. Bearings shown hereon are in degrees, minutes and seconds. Bearings are for description purposes and relative only to each other.

OF PROPERTY DESCRIBED AS:

Parcel I:

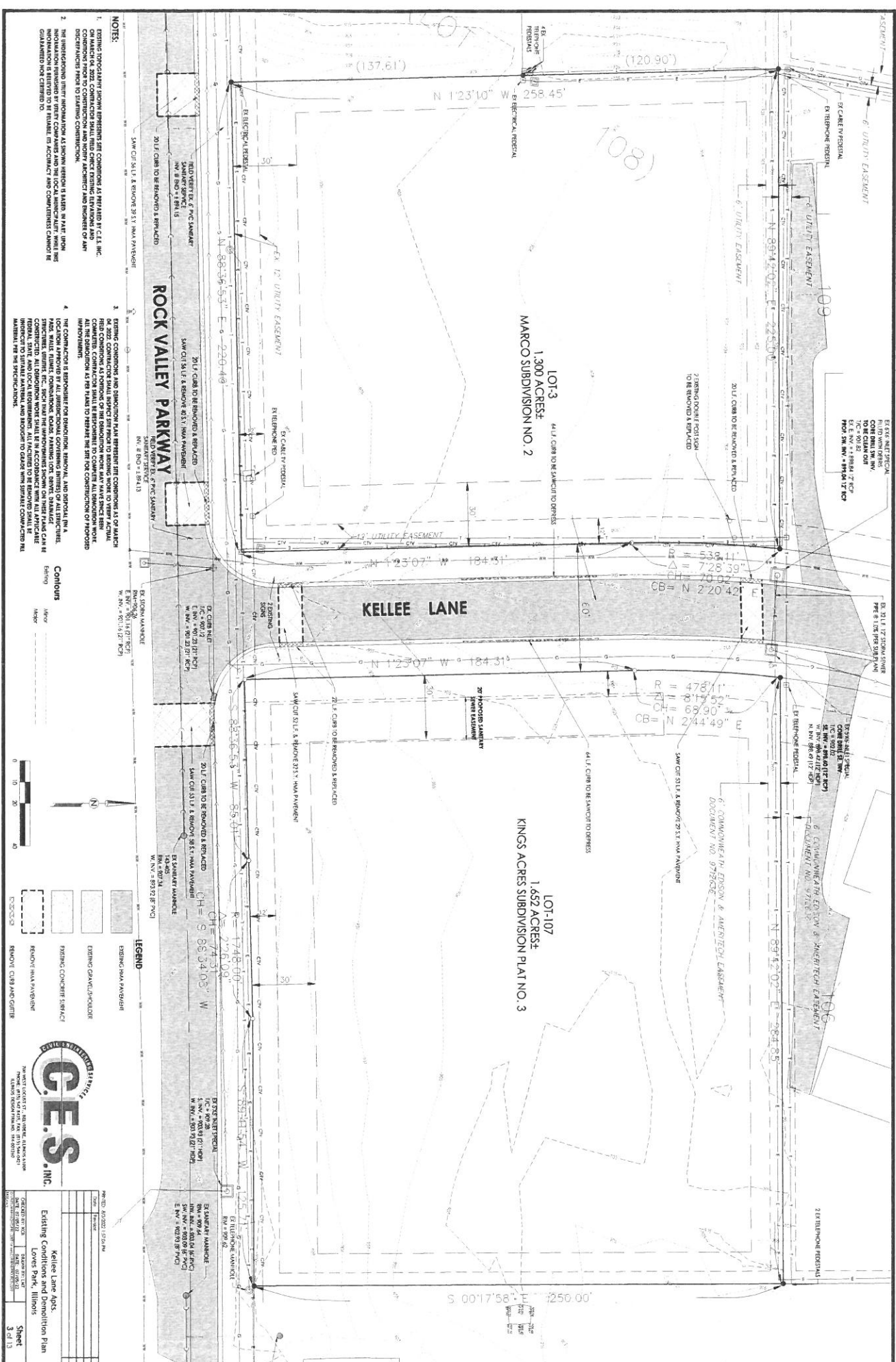
Lot Three (3) as designated upon Final Plat of Marco Subdivision No. 2, being a Subdivision of Lot One Hundred Eight (108) of "Kings Acres Subdivision Plat No. 3", being a part of the Northwest Quarter (1/4) of Section 2, Township 44 North, Range 2 East of the Third Principal Meridian, the Plat of which is recorded in Book 49 of Plats on Page 126A in the Recorder's Office of Winnebago County, Illinois, situated in the County of Winnebago and State of Illinois.

Parcel II:

Lot One Hundred Seven (107) as designated upon Kings Acres Subdivision Plat No. 3, being a Subdivision of part of the Northwest Quarter (1/4) of Section 2, Township 44 North, Range 2 East of the Third Principal Meridian, the Plat of which Subdivision is recorded in Book 41 of Plats on Page 16B in the Recorder's Office of Winnebago County, Illinois.

Dated this 21st day of January, 2022, A.D., at the office of Survey-Tech

Dale E. Wallace
Dale E. Wallace, Illinois Professional Land Surveyor No. 35-2821



- NOTES:
1. EXISTING TOPOGRAHY SHOWN REPRESENTS SET CONDITIONS AS PREPARED BY C.E.S. INC. ON MARCH 04, 2022. CONTRACTORS SHALL FIELD CHECK EXISTING ELEVATIONS AND CONTOURS FOR ACCURACY AND MAKE ANY NECESSARY ADJUSTMENTS TO THE PLAN.
 2. THE UNDERSIGNED HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THE INFORMATION PROVIDED BY THE CONTRACTOR AND LOCAL AGENCIES TO BE SUFFICIENT FOR THE PURPOSES OF THIS PLAN. THE UNDERSIGNED DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CONTRACTOR AND LOCAL AGENCIES.
 3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND LOCAL GOVERNMENTS.

Rock Valley Parkway

Lot 103
1.300 ACRES
MARCO SUBDIVISION NO. 2

Lot 107
1.652 ACRES
KINGS ACRES SUBDIVISION PLAT NO. 3

Lot 109
1.300 ACRES
MARCO SUBDIVISION NO. 2

LEGEND

EXISTING GRAVEL/CHOLDOLE

EXISTING CONCRETE SURFACE

REMOVE GRAVEL/CHOLDOLE

REMOVE CONCRETE SURFACE

REMOVE CURB AND GUTTER

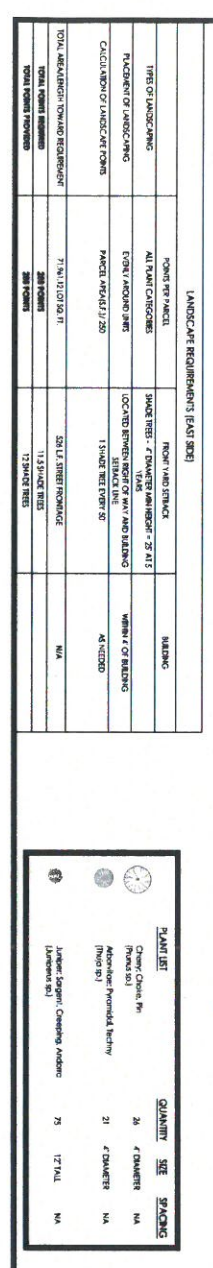
C.E.S. INC.

1000 WEST LOCUST ST., 4TH FLOOR, ST. LOUIS, MO 63103

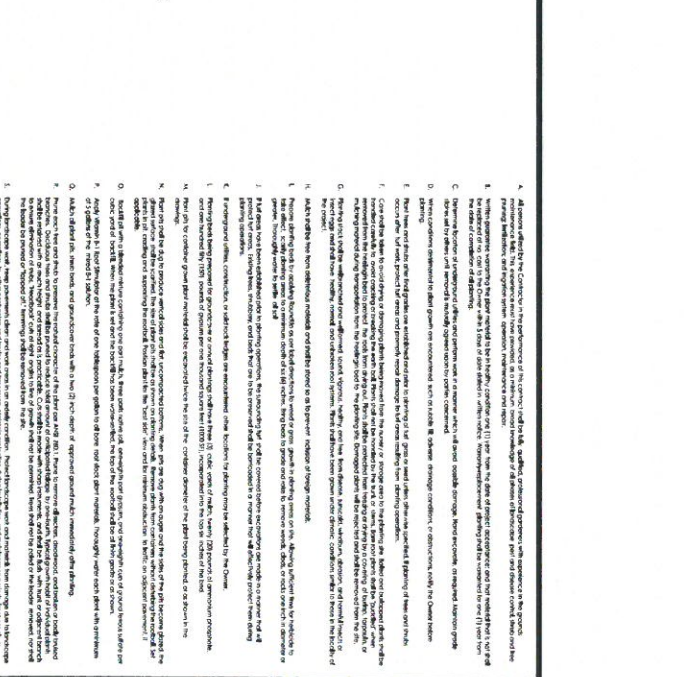
TEL: 314.433.1111 FAX: 314.433.1112

WWW.CESINC.COM

Project: Kellee Lane Access
Existing Conditions and Demolition Plan
Loves Park, Illinois
Sheet: 3 of 3

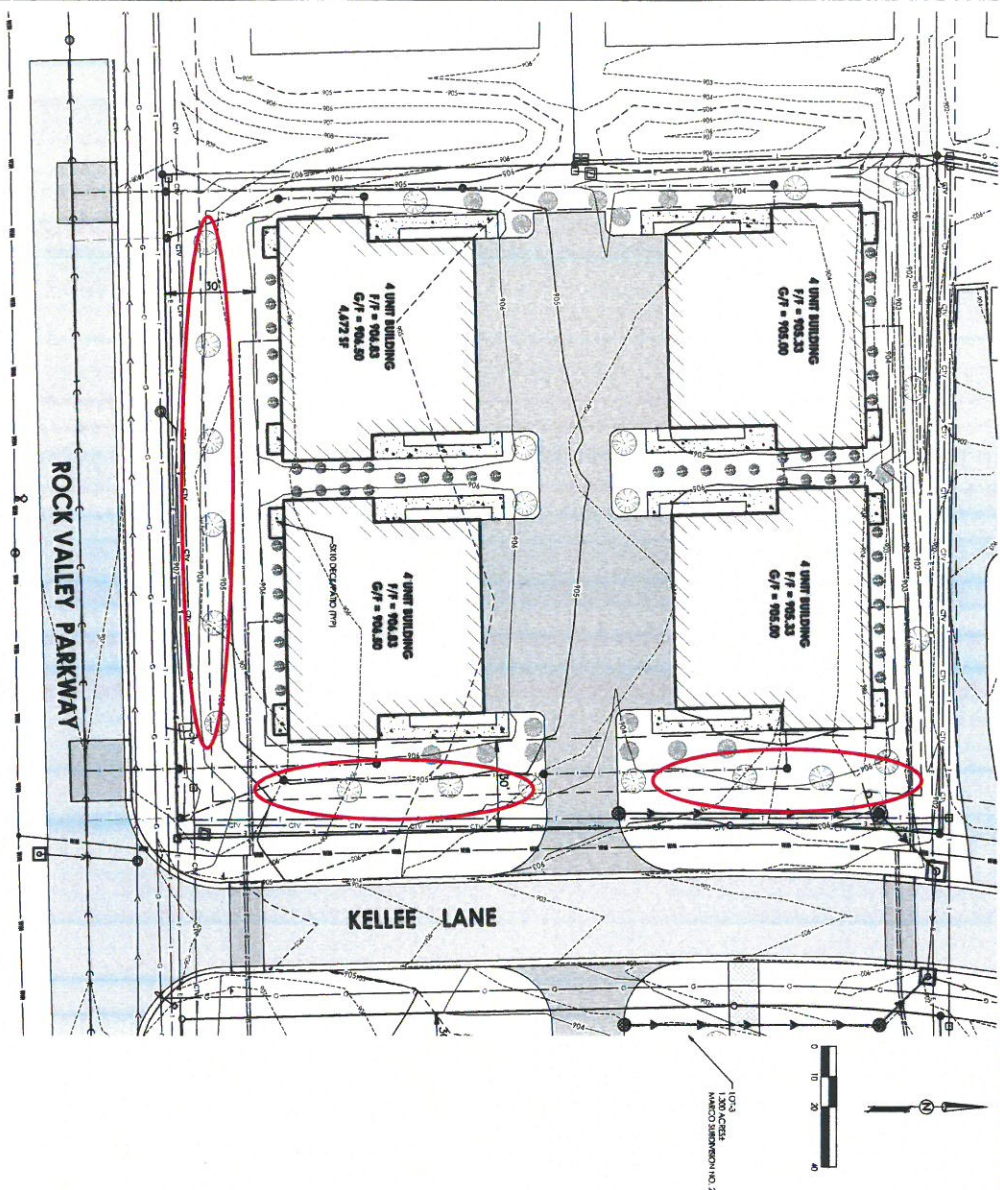


3. **Figure 10**—The 2007–2008 period for the 10th Amendment. *Source:* U.S. Department of Justice, Bureau of the Census, *U.S. Census Bureau, 2007–2008*. <http://www.census.gov/hhes/indiv/10th/10th.html>.

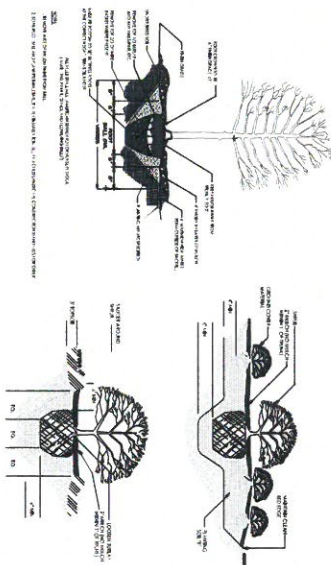


LANDSCAPE REQUIREMENTS (WEST SIDE)			
TYPE OF LANDSCAPING	POINT PER PAVEMENT	POINT PER STRUCTURE	BUILDING
PLANTING OF LANDSCAPING	ALL PLANTING MATERIALS	SHADE TREES: 4' DOWNSIDE MAINTENANCE - 25 AT 12	WINDMILL & BUILDING
PLANTING OF LANDSCAPING	PLANTING MATERIALS	LOCATED WITHIN 10' OF PUBLIC ROW	AS NOTED
CALCULATION OF LANDSCAPING	PLANTING MATERIALS	1 SHADE TREE OVER 12'	AS NOTED
TOTAL AREA/REQUIREMENT	5.00 ACRES	5.00 ACRES	5.00 ACRES
TOTAL POINTS REQUIRED	200 POINTS	100 POINTS	100 POINTS

PLANT LIST		QUANTITY	SIZE	SPACING
Planting Material	Quantity	Size	Spacing	
Shade Tree (12' x 12')	22	4' DIA	MA	
Shade Tree (12' x 12')	16	4' DIA	MA	
Shade Tree (12' x 12')	52	12' DIA	MA	



THE PLANNING DETAILS



1. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
2. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
3. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
4. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
5. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
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8. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
9. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
10. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
11. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
12. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
13. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
14. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
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16. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
17. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
18. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
19. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.
20. The tree shall be planted in a hole of sufficient depth to allow the roots to spread out and grow freely.

GES, INC.

10000 S. 100th Ave. Suite 100
Tulsa, Oklahoma 74129
Phone: 918.438.1234
Fax: 918.438.1235
Email: info@gesinc.com

Project: Kellee Lane Area
Location: Kellee Lane
Scale: 1/4" = 1'-0"

Drawn: [Name]
Checked: [Name]
Date: 10/20/2010





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.

Location: 43XX Kellee Lane and 4305 Kellee Lane

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: **43XX Kellee Lane and 4305 Kellee Lane**
Multiple structures on a each lot

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: August 5, 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: 7270 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:	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. Five trees are required.

Provided: The landscape plan shows that area plants/trees will be provided. It does not indicate what types or does not provide a list of number of plantings.

Parking:

Required:

The required parking for the establishment is 15 parking stalls, which includes the required ADA compliant parking stall.

Provided:

The establishment will be providing 22 parking stalls for all uses. Vehicle circulation for angled parking is 18 feet. The development will have have 15 feet for circulation on the eastern part of the development.

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 building.

Provided:

The applicants site plan shows a pylon sign will be provided. There is no additional information for the signage known.

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:

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

Conditions:

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 and Section 102-338 of the City's code of ordinances, and the E. Riverside/I90 Overlay.
4. The dumpster enclosure shall provide screening on all sides. The screening shall include a combination of Karl Foerster Grass and Moudry Fountain Grass to obscure the structure from the E. Riverside frontage.
5. The landscaping for Hanger Road and E. Riverside Blv. shall meet the requirements of Section 102-258, and Section 102-338 of the City's code of ordinances and the E. Riverside/I90 Overlay.
6. 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.
7. The 15 feet for vehicle circulation on the eastern part of the development shall be sufficient given that circulation will be one way and no parking will be provided on the eastern side of the development. The parking lot shall marked with arrows identifying the circulation.
 8. The sign for this establishment shall meet the requirements of Section 102-284 and Section 102-338 of the City's code of ordinances and E. Riverside I/90 Overlay.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**

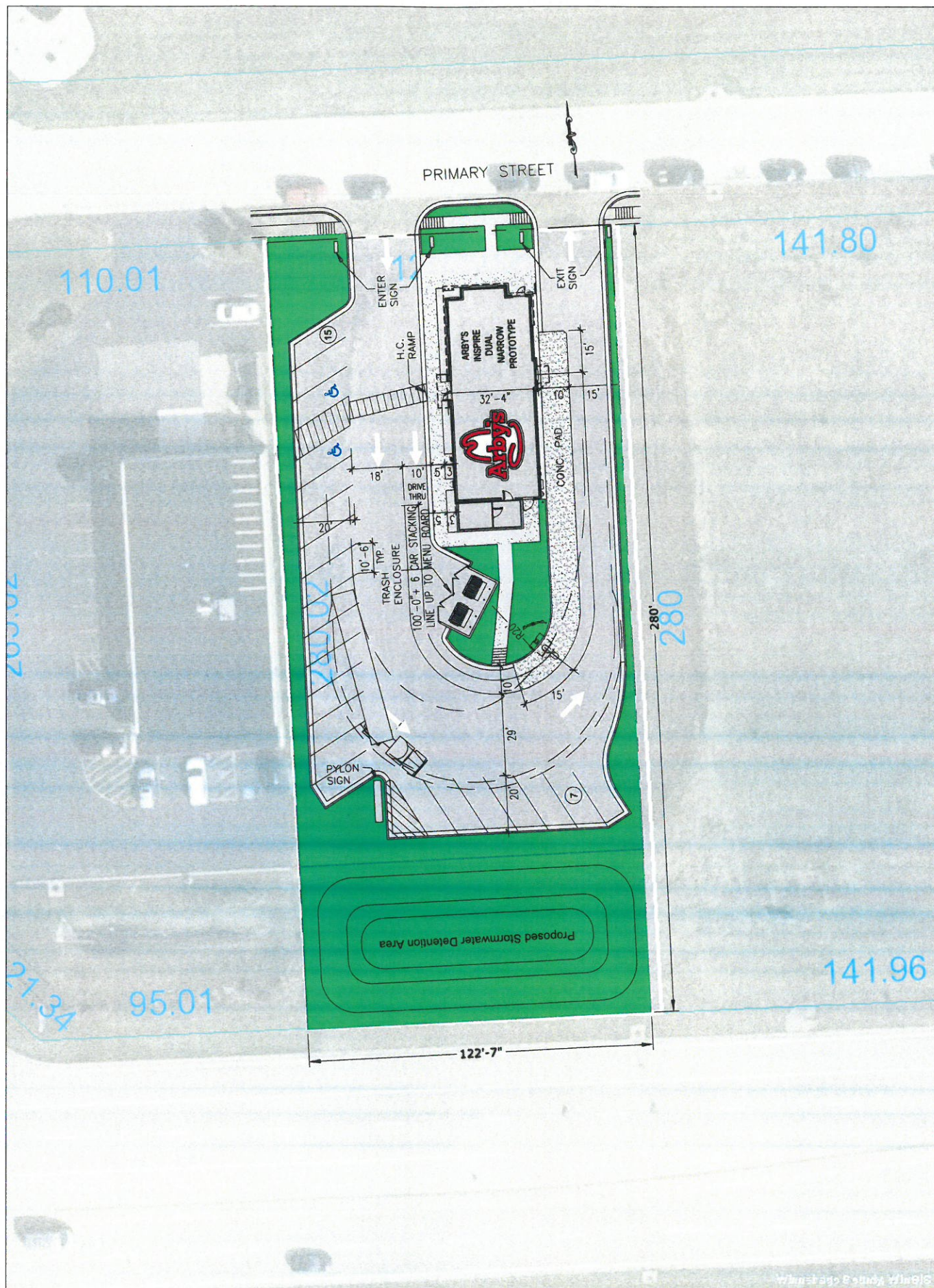


ADDRESS: 7270 E. RIVERSIDE BOULEVARD

PARCEL NUMBER: 12-02-153-005

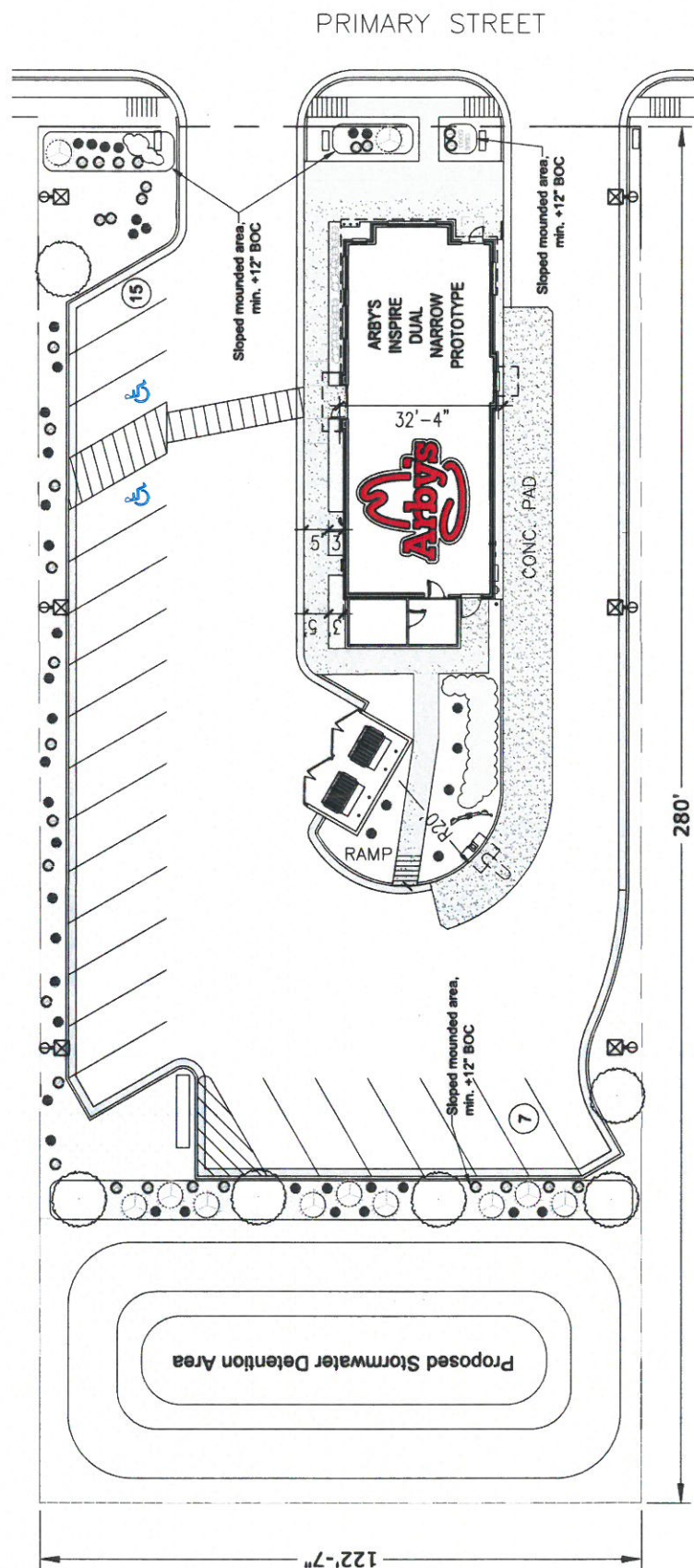
PROPERTY OWNER: MARY S. THOMAS
W4674 S. LAKESHORE DRIVE
FONTANA, WISCONSIN 53125

APPLICANT: STIFEX, LLC
5324 N. 134TH AVENUE
OMAHA, NEBRASKA 68164





A horizontal scale bar with vertical tick marks. Below the bar, the distances 1', 5', 10', and 20' are labeled from left to right, corresponding to the tick marks.

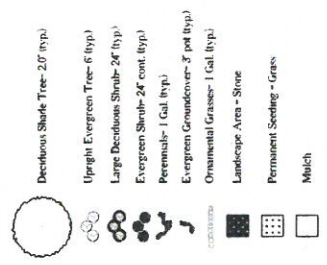


Plant List

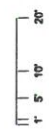
Key	Qty	Common Name	Species	Size/Type	Spacing
AM	1	State Street Mimosa Maple	As Shown	2.0' BB	As Shown
CO	1	Hackberry	As Shown	2.0' BB	As Shown
GTS	2	Scyline Thornless Honey Locust	As Shown	2.0' BB	As Shown
GD	1	Kentucky Coffee Tree	As Shown	2.0' BB	As Shown
YAR	1	Redmond American Maple	As Shown	2.0' BB	As Shown
PO	6	Evergreen Tree	As Shown	6' BB	As Shown
PN	5	Sorbus Spruce	As Shown	6' BB	As Shown
CSB	12	Deciduous Shrubs	As Shown	24/5 Gal	4 O.C.
CAP	10	Bark's Red Twig Dogwood	As Shown	24/5 Gal	4 O.C.
SCM	10	Peking Cucumber	As Shown	24/5 Gal	3 O.C.
JSG	15	Evergreen Shrubs	As Shown	24/5 Gal	4 O.C.
JBP	16	Blue Pacific Juniper	As Shown	24/5 Gal	4 O.C.
TMD	12	Dense Yew	As Shown	24/5 Gal	4 O.C.
GNF	4	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
EFC	4	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
GNF	4	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
HHR	4	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
RFG	3	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
SJA	3	Perennials, Groundcovers & Ornamental Grasses	As Shown	1 Gal	15' O.C.
Sof	SY	Grass, Mulch & Stone	As Shown	1 Gal	15' O.C.
Mulch	CY	Kentucky Bluegrass Blend	As Shown	1 Gal	15' O.C.
Stone	CY	Shredded Hardwood Bark	As Shown	1 Gal	15' O.C.
		1-1/2' River Rock	As Shown	1 Gal	15' O.C.

Conceptual Site Plan
NOT FOR CONSTRUCTION

Plant Legend

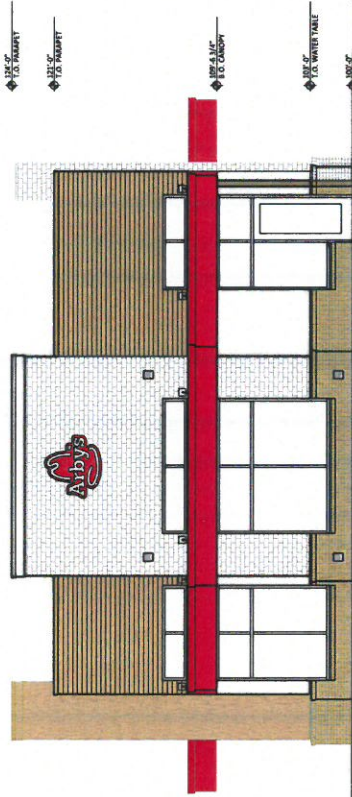
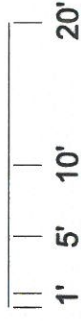


Scale: 3/32" = 1'

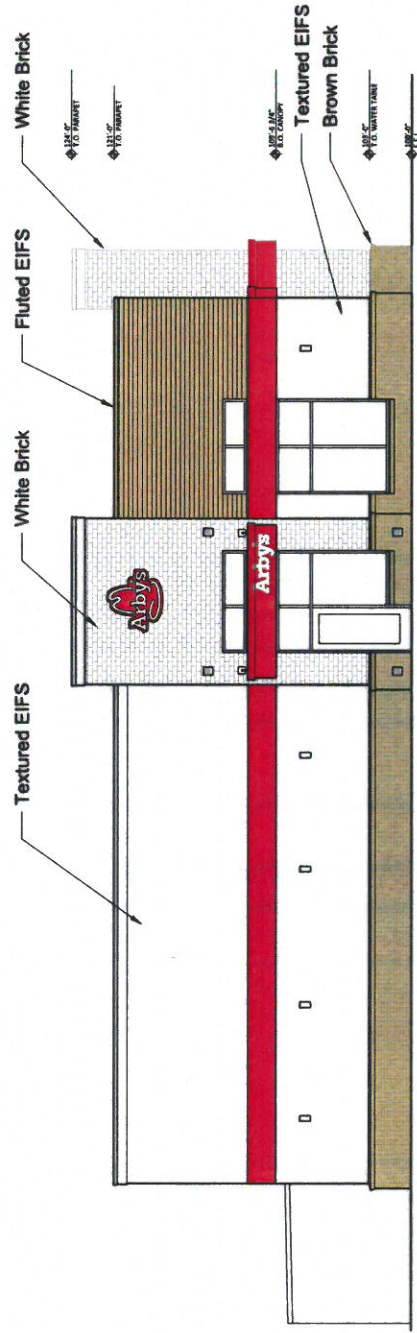


Conceptual Plan
NOT FOR CONSTRUCTION

Scale: $\frac{1}{4}" = 1'$



FRONT ELEVATION



SIDE ELEVATION

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.

Location: 7270 E. Riverside Blvd

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: **7270 E. Riverside Blvd**
SUP drive-thru

Chairman

Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: August 1, 2022

SUBJECT: A Special Use Permit for accessory residence in the CR (Commercial Retail) Zoning District.

LOCATION: 6520 N. Second Street

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

ZONING DISTRICT:

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

PROPERTY INFORMATION AND RELEVANT FACTS:

Building Setbacks:

Required:

Building setback:	30 feet
Side yard:	6 feet
Rear yard:	30 feet

Provided:

The home was built in 1941. The home is in conformity with building setbacks established when the home was built.	
Building setback:	30+ feet
Side yard:	9+ feet
Rear yard:	60+ feet

Findings: The establishment of the special use will not be detrimental to or endanger the public health or safety within the zoning district. The home will be used as a residence, with a low impact commercial component. The use shall not be injurious to the uses already established in the area. The structure is a single family dwelling, and will not undergo any major renovations that will substantially diminish or impair property values. The home will be occupied primarily as a residence, utilizing an office in the home, for an online business. The use will not impede the normal orderly development for the area, nor will it adversely impact uses already permitted in the zoning district.

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

Condition(s):

1. The Special Use Permit expires with the change in property ownership.

ATTACHMENTS:

See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote:

APPROVAL / DENIAL / TABLED

**AUDIENCE
COMMENTS:**



ADDRESS: 6520 N. SECOND STREET

PARCEL NUMBER: 11-01-227-001

PROPERTY OWNER: SEDONA SHEY, INC.
6520 N. SECOND STREET
LOVES PARK, ILLINOIS 61111

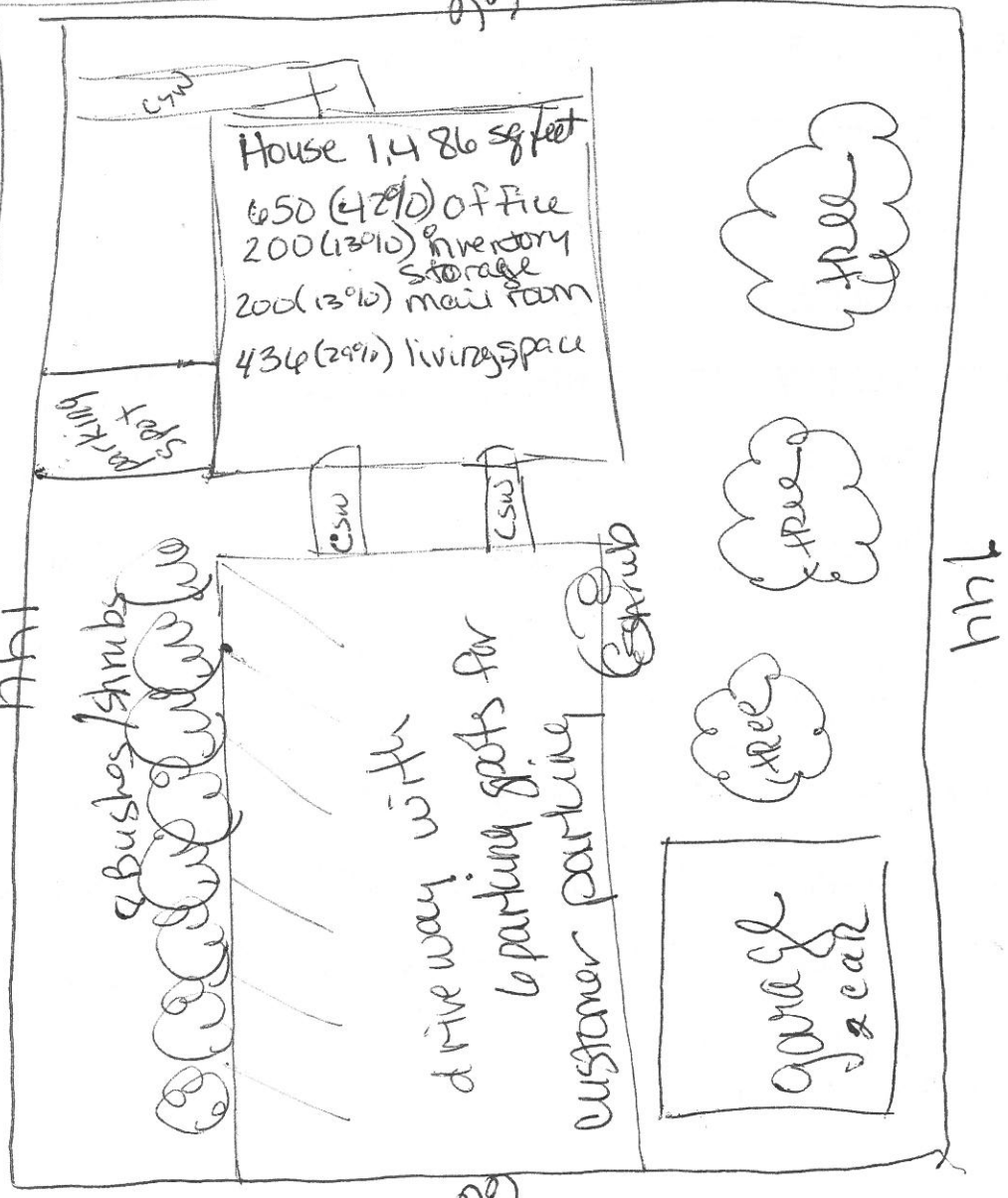
APPLICANT: MELISSA WENGER
10129 ASHBURY LANE
MACHESNEY PARK, ILLINOIS 61115

Source: A

58 feet 9.554
Acres 0.22

alley

Glendale Rd



N 2nd St

2

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.

6520 N. Second Street

ZBA

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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: **6520 N. Second Street**
 Accessory residence

Chairman
Benjamin Danielson

Signature

Date