



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
October 20, 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 **September 15, 2022** meeting
3. Report from the Zoning Office – None
4. Unfinished business –
5. New business –
 - A. 5296 BENNETT STREET** – A Variance from a maximum allowable 15 foot high accessory structure to a requested 18 foot high accessory structure, from peak to grade, in the R1 (Single Family Residential) Zoning District.
 - B. 6390 E. RIVERSIDE BOULEVARD** – A Special Use Permit for a fast food establishment with a drive-thru window in IL_CR (Light Industrial_Commercial Retail).
 - C. 6245 N. SECOND STREET (12-06-104-001 & 12-06-104-002)** – A renewal of a Special Use Permit for a car wash 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, SEPTEMBER 15, 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, MADELINE STUCKY, JASON VANDIVER, CATHY NELSON, JOSEPH GIACONE, LUKE CARLSON,

MEMBERS ABSENT: LYNDI TOO HILL

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

Mr. Danielson announced that items considered for recommendation at this meeting will be forwarded to the Community Development Committee meeting on September 26, 2022, at 6:15 p.m.

2. MINUTES

Ms. Stucky moved to approve the minutes from the meeting held on August 18, 2022. Second by Mr. Carlson. Motion carried by voice vote.

3. ZONING OFFICE REPORT

Mr. Quintanilla stated that he presented an updated site plan for Unfinished Business Item A.

4. UNFINISHED BUSINESS

A. 7199 CLINTON ROAD – A Special Use Permit for outside storage in the IL and CG Zoning Districts. Appropriate notices have been given.

Jeffrey Linkenheld, 5291 Zenith Parkway, Loves Park IL 61111, was sworn in on behalf of Petitioner and he indicated that the owner is requesting a Special Use Permit to allow for outside storage for building materials, such as vinyl siding and roofing shingles on the property. They plan on adding a site obscured fence and landscaping.

James Hursh, Attorney, 2601 Reid Farm Rd, Rockford, IL was sworn in support of the petition. Attorney Hursh indicated that he is an attorney for the adjacent property owner and he added that the adjacent property owner and the Petitioner are in agreement and the details have been ironed out.

No objectors present.

Ms. Stucky moved to approve a Special Use Permit for outside storage in the IL and CG Zoning Districts for the property known as 7199 Clinton Road, with the following conditions

1. The Special Use Permit shall expire with the change in property ownership.
2. The Special Use Permit shall be revoked with certified complaints from adjacent business owners or complaints by the local authorities.
3. No barbed wire shall be allowed in the outside storage area. Fence height shall not exceed 6-ft. in height.
4. The chain link security fence and gate shall provide screening from the Clinton Road frontage.

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. 43XX KELLEEE LANE AND 4305 KELLEEE LANE** – Special Use Permit to allow for the placement of 4 buildings on each lot in the R3 Zoning District. Appropriation notice has been given.

Attorney Carol Lockwood, Attorney, 100 Park Avenue, Rockford IL, was sworn in on behalf of the Petitioner and indicated that she is requesting a Special Use Permit to place 4 multi-family buildings on the properties of 43XX and 4305 Kellee Lane.

No objectors were present.

Mrs. Nelson moved to approve a Special Use Permit to allow for the placement of 4 buildings on each lot in the R3 Zoning District for the property known as 43XX and 4305 Kellee Lane, with the following conditions:

1. The Special Use Permit shall expire 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 to, and maintained in a healthy growing condition, free from refuse.
5. The Special Use Permit shall be renewed 1 year from the date of approval.

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

6. NEW BUSINESS

- A. 7133 WINDSOR LAKE PARKWAY** – Variance from a required 6-ft. side yard setback to a requested 0-ft. side yard setback in the R3A Zoning District. Appropriate notice has been given.

Michael Chance, 7133 Windsor Lake Parkway, Loves Park, IL was sworn in as Petitioner and indicated that he is requesting a Variance to allow a 0-ft. side yard setback for the property as the boundary line runs through the dwelling. The Variance will bring the property up to code.

No objectors present.

Mrs. Nelson moved to approve a Variance from a required 6-ft. side yard setback to a requested 0-ft. side yard setback in the R3A Zoning District for the property known as 7133 Windsor Lake Parkway. Second by Ms. Stucky.

MOTION APPROVED 5-0

- B. 6331 N. SECOND STREET** – Special Use Permit for an event/banquet space in the CR Zoning District. Appropriate notice has been given.

Jim Hursh, Attorney, 2601 Reid Farm Road, Rockford, IL was sworn in on behalf of Petitioner and indicated that he is requesting a Special Use Permit for the property so that an event/banquet center could occupy the space. He added that they agree with the conditions that have been recommended by city staff.

No objectors present.

Mrs. Nelson moved to approve a Special Use Permit for an event/banquet space in the CR Zoning District for the property known as 6331 N. Second Street, with the following conditions:

1. The Special Use Permit shall expire with the discontinuance of the event/banquet establishment.
2. If music is provided for any event or banquet, the doors shall remain closed.
3. The Special Use Permit shall be revoked with substantiated complaints from other businesses, residents, or local authorities.
4. The applicant shall be required to undergo the plan review process to bring the unit under current building code standards for the use. The business shall not open to the public until all final inspections have been completed, and the certificate of occupancy has been issued.
5. The establishment shall not be permitted to have live music, unless it is included, as part of a reception, banquet, or other similar occurrence happening on site. No concerts, paid or pre-paid ticket events, events with a cover charge at the door, or other events promoting alcohol shall be permitted.
6. If alcohol is to be served on the premises, the permit holder must obtain and maintain a City of Loves Park liquor license, and meet the building code requirements necessary for the issuance of a liquor license.
7. The occupancy shall be limited to the capacity for the unit as determined by the Loves Park Fire Department. The occupancy for the unit includes employees, volunteers, caterers, staff, and persons providing music, which includes DJs and musicians.
8. All activities related to the business shall be confined to the unit of this establishment. Parking areas must be monitored to prevent loitering by patrons.
9. A business license must be obtained by the City of Loves Park.

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

MOTION APPROVED 5-0

6. PUBLIC PARTICIPATION AND COMMENT

None

7. GENERAL DISCUSSION

Mr. Carlson moved that the meeting be adjourned. Second by Ms. Stucky. Motion carried by voice vote. The meeting adjourned at 6:10 p.m.

Sheila Mills, Secretary



ZONING BOARD OF APPEALS

Community Development Department

Date: October 20, 2022

SUBJECT:	A Variance from a maximum allowable 15 foot high accessory structure to a requested 18 foot high accessory structure, from peak to grade, in the R1 (Single Family Residential) Zoning District.
Location:	5296 Bennett Street
R1 Requirements:	Front yard setback: 30 feet Side yard setback: 6 feet Rear yard setback: 30 feet Maximum height for accessory structures: 15 feet
Provided:	Front yard setback: 30 feet Side yard setback: 6 feet Rear yard setback: 30 feet Requested height for an accessory structure: 18 feet
Findings:	<p>Strict or literal interpretation of the specified regulation would result in unnecessary physical hardship. The structure will serve as a detached garage for the property owner. The property had a garage but was removed in 2019 due to condition issues. The owner is going to utilize the existing pad, but is requesting the height increase for the purpose of gaining additional storage of his belonging that remain outside all throughout the year. There are extraordinary conditions applicable to the property. The property currently has 3 accessory structures, and a new garage would give the owner 4. Only 2 accessory structures are permitted in a residential district. The owner has agreed to remove two structures from the property to be in compliance with the City's code of ordinances. There are conditions that are applicable to the owners property that are not applicable to other properties in the same zoning district. The owner has quite a bit of his personal items being stored outside throughout the year. With the reestablishment of the garage, and increased height, the owner has assured Staff that this will remedy his outside storage problem.</p> <p>Strict enforcement of the regulation would deprive the owner of space needed to store his personal items. The City has approved height increases for accessory structures over the years to accommodate land owners' request for storage. The approval of the variation shall not be deemed special privilege. The primary use for the structure will be as a garage. All garages are used for storage of personal items as well as for vehicles. The additional height will allow the owner the capacity to navigate the upper portion of the garage to organize the personal items that are left outside exposed to the elements. The approval of the variation shall not be a detriment or negatively impact the vicinity, nor shall it constitute special privilege inconsistent with limitations placed on other properties in the same zoning district.</p>
RECOMMENDATION:	Approval - A Variance from a maximum allowable 15 foot high accessory structure to a requested 18 foot high accessory structure, from peak to grade, in the R1

(Single Family Residential) Zoning District.

Condition:

The approval of the variation shall include the removal of two accessory structures.
The removal will remedy land overcrowding, which may be detrimental to adjacent properties.

ATTACHMENTS:

See attachments

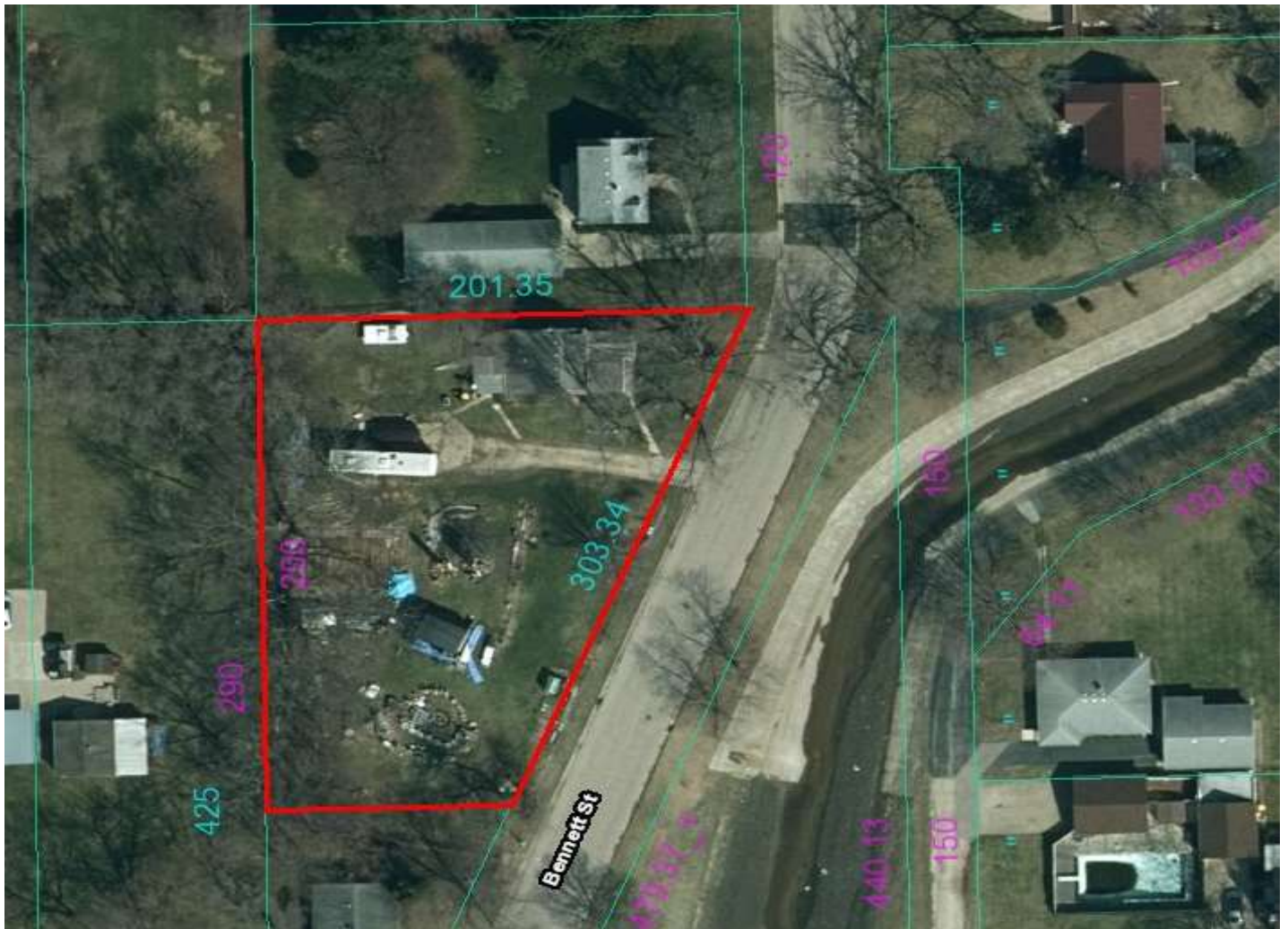
**ZONING BOARD
RECOMMENDATIONS:**

VOTE:

APPROVAL / DENIAL / TABLED

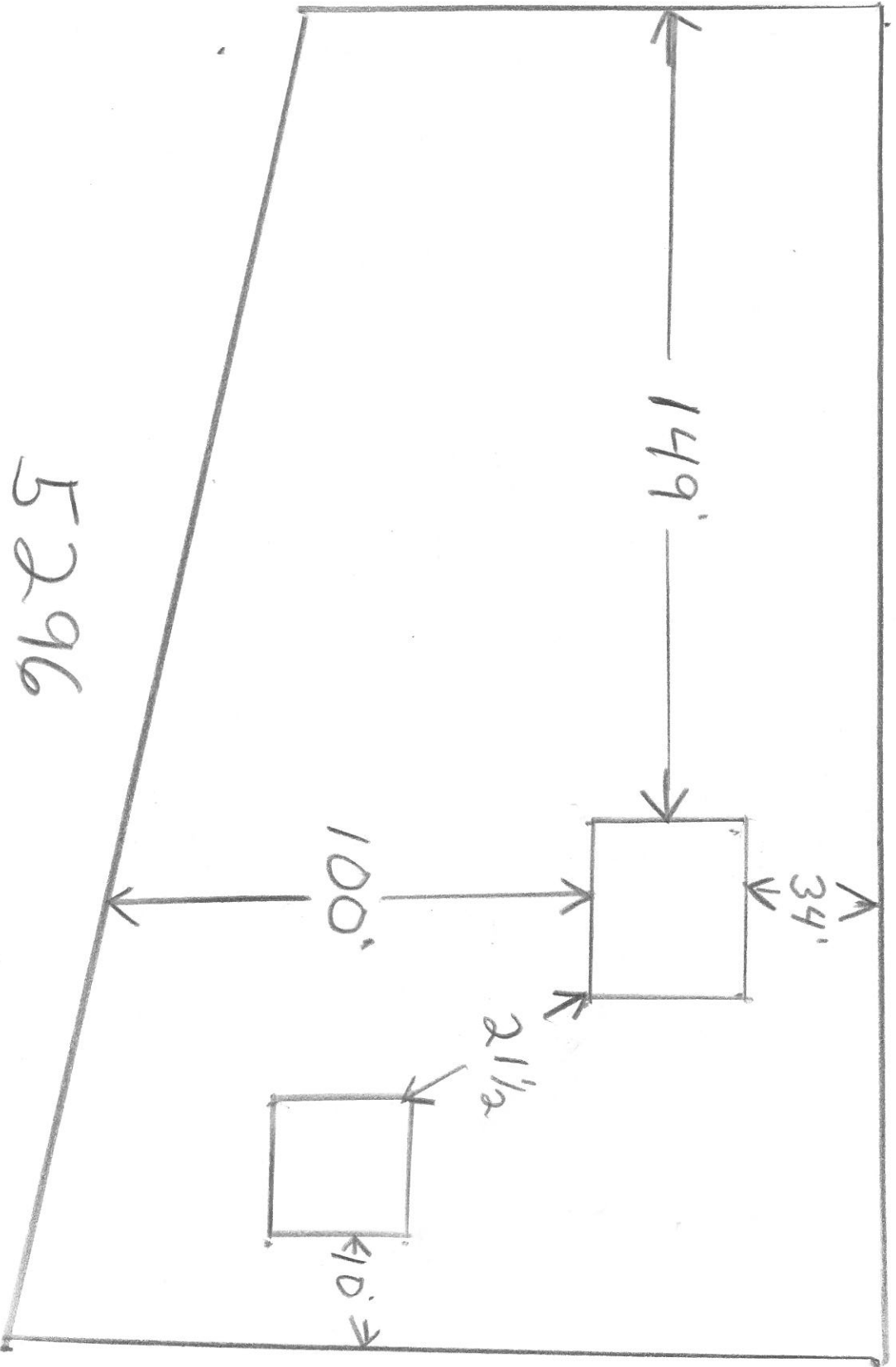
AUDIENCE

COMMENTS:



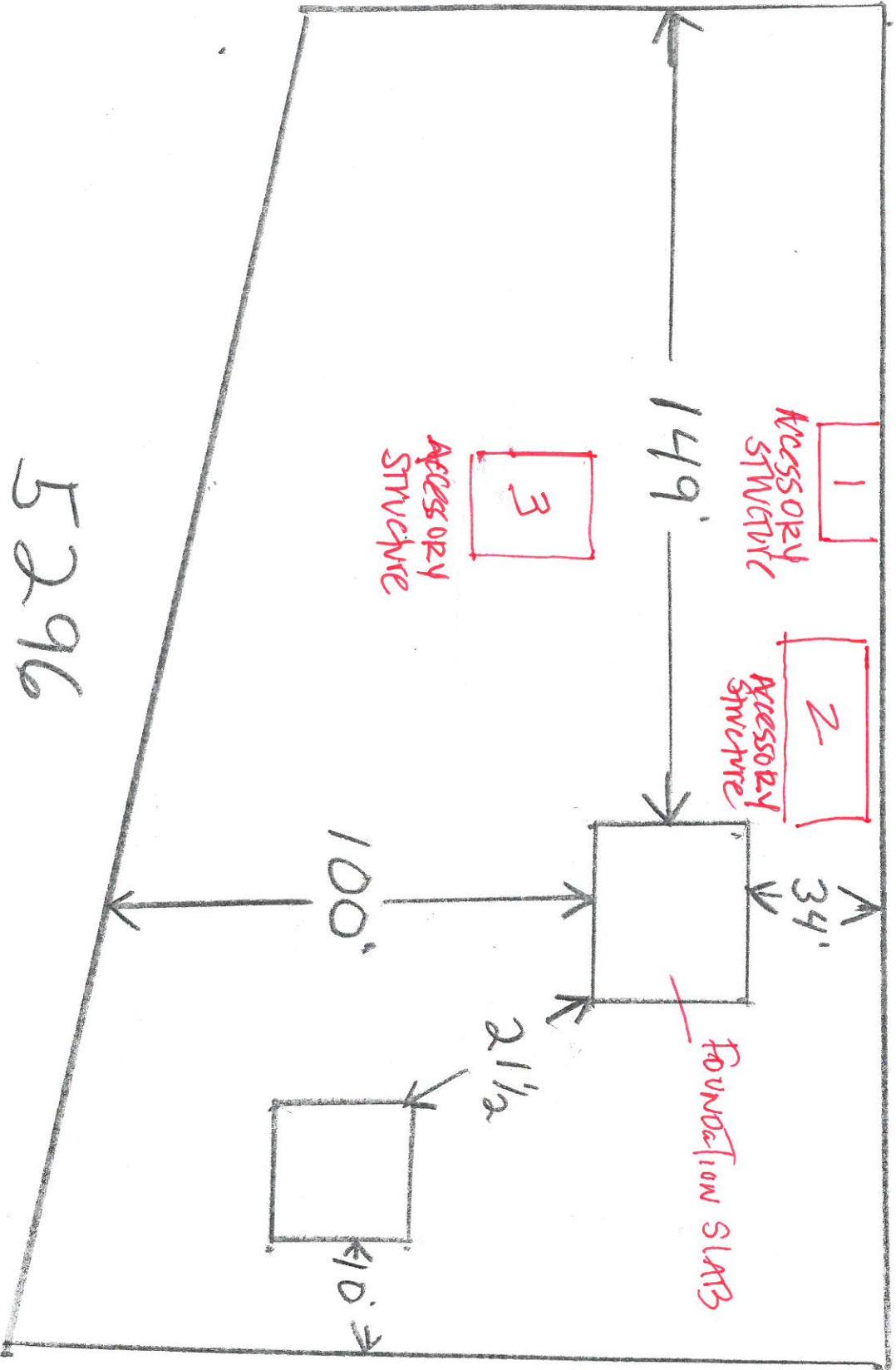
Parcel:	11-12-252-029
Address:	5296 Bennett Street
Zoning:	R1 (Single Family) Residential
Applicant:	David Walter 5296 Bennett Street Loves Park, Illinois 61111
Property Owner:	David Walter 5296 Bennett Street Loves Park, Illinois 61111

N →



5296
BENNETT

N →



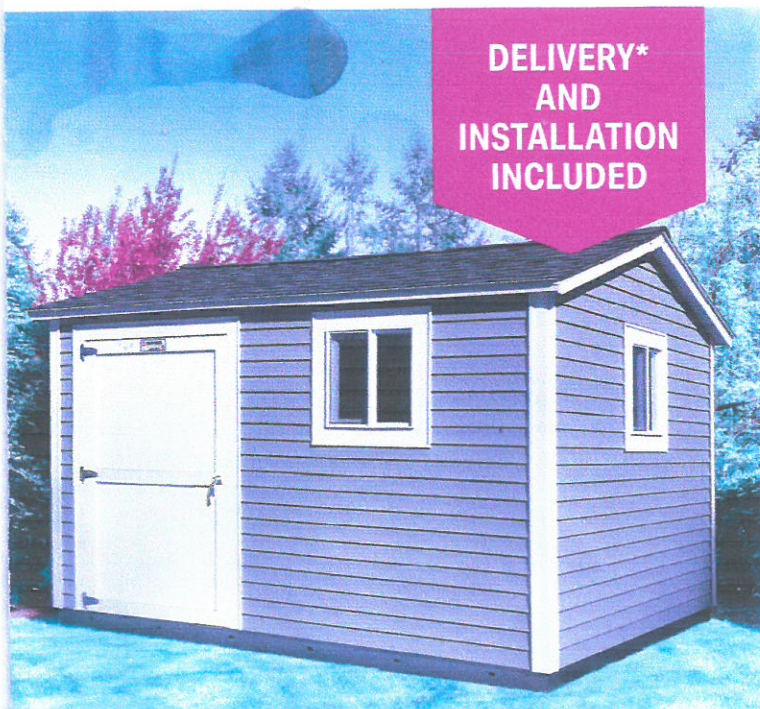
5296

BENNETT



BUILDING SPECS & INFORMATION

**DELIVERY*
AND
INSTALLATION
INCLUDED**



Hi, I'm your local Tuff Shed® Area Sales Manager.
I can help you with your building questions and orders.

Scott Fraser

815-991-6431

sfraser@tuffshed.com
homedepot.com/tuffshed



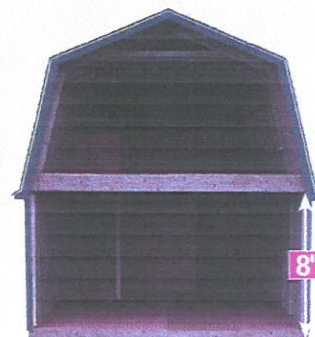
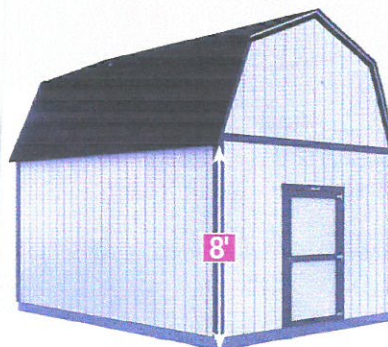
Hold device over QR code with camera. When the link appears on your screen - click link for available sizes and current prices.

Find building specs and prices and configure your building online at homedepot.com/tuffshed

5
YEAR LIMITED
WARRANTY

THE SUNDANCE SERIES® TB-800

Maximize your storage space with another foot of sidewall height and more overhead room. The 8' sidewalls allow for a 4'x6'7" door placed on any wall. This model can also accommodate porch and 2nd Floor upgrades (see info. below). Shown here with paint upgrade.



SINGLE FLOOR

- 4'x6'7" Steel Reinforced Tuff Shed® Door
- Endwall or Sidewall Door Placement
- 7'8" Clear Interior Sidewall Height
- 16" On Center 2x4 Wall Framing
- 3" Flat Sidewall Eave (Single Floor)

2ND FLOOR UPGRADE WITH STAIRS

- 6" Boxed Eaves
- 2x6 Treated Wood Foundation

Concrete
Foundation
Suggested

DELIVERY* AND INSTALLATION INCLUDED







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.

5296 Bennett Street

 ZBA

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

Reason:

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

Reason:

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

Reason:

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

Reason:

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

Reason:

- 6 - _____ The concurring vote of four members of the board shall be necessary to recommend the authorization of any variance in this chapter.
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These findings are based on staff interpretation of the required findings necessary for approval of a variation. The Zoning Board of Appeals must indicate whether or not all the findings have been considered to substantiate the approval of a variation.

These findings have been adopted as the official Findings of Fact for the City of Loves Park, Zoning Board of Appeals agenda item: **5296 Bennett Street**
Allowed 15 ft height to requested 18 feet height accessory structure

Chairman
Ben Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: October 20, 2022

SUBJECT: A Special Use Permit for a fast food establishment with a drive-thru window in IL_CR (Light Industrial & Commercial Retail)

LOCATION: 6390 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_CR (Light Industrial_Commercial Retail)
South	C2 (Commercial Retail) Rockford
East	IL_CR (Light Industrial_Commercial Retail)
West	IL_CR (Light Industrial_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 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: The dumpster enclosure is existing and nothing further required.

Landscaping:

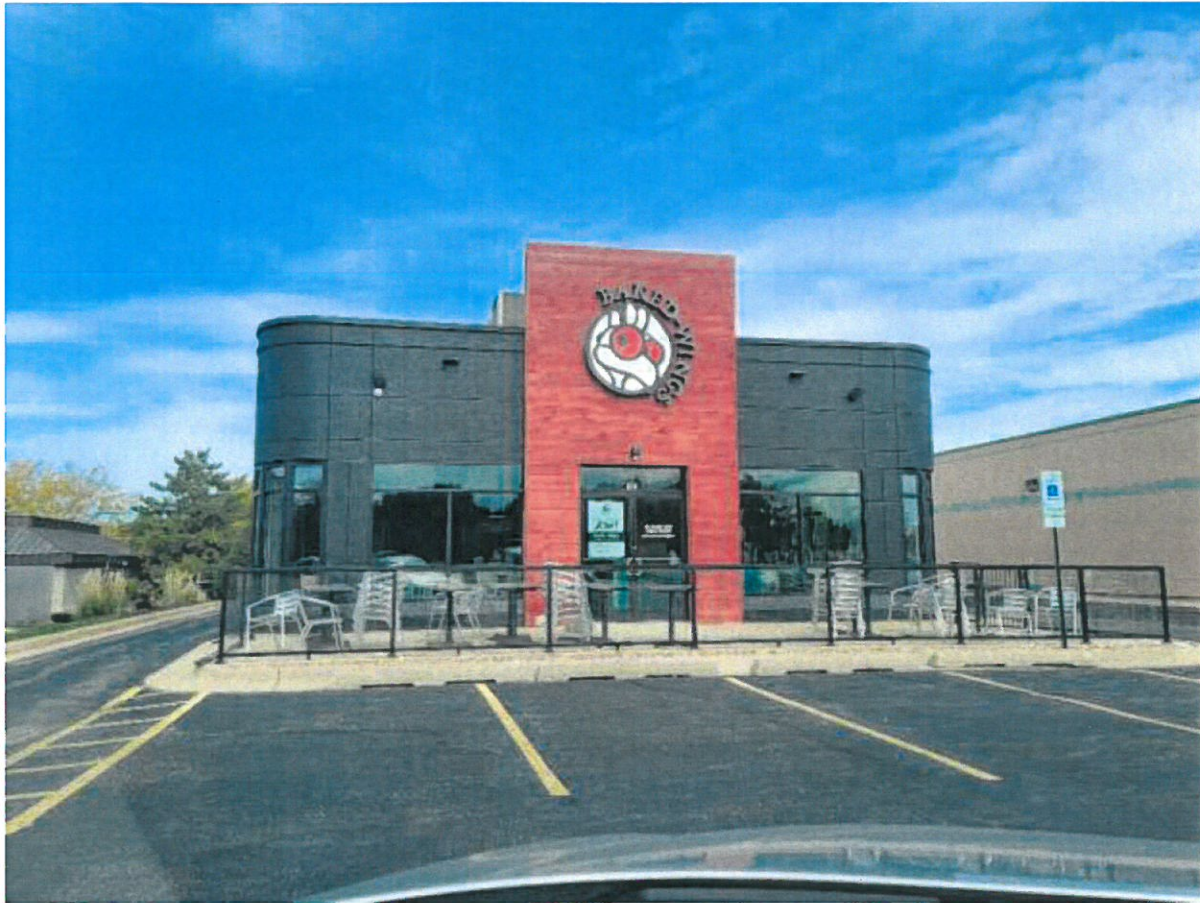
Required: An 8 foot deep landscape buffer with a combination of planted trees, shrubs, ground cover, and plants. It shall be curbed or provide some other protective barrier to the passage of vehicles. Trees shall be required to be planted on interior and exterior of the development based on interior 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 for this business. Staff has received approval from the Winnebago County Highway Department (WCHD) to allow the applicant to implement the 8 foot deep landscape buffer that is required. The buffer shall not include any trees or bushes as part of the

	approval from the WCHD, which controls the right-of-way in this section of the city.
Provided:	The property has existing landscaping, however, over the years, the owner of the property eliminated trees that were part of the initial approval. No additional landscaping was proposed, however the applicant is in agreement with Staffs proposal.
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 28 parking stalls for all uses. No further parking is required.
Drive-thru:	
Required:	The stacking requirements for a drive-thru is 5 vehicles.
Provided:	The drive-thru will accommodate up to 8 vehicles.
Findings:	The establishment of the special use will not be detrimental or endanger the general welfare of the businesses in the zoning district. The use is a complimentary use to existing surrounding uses. The business owner has made interior and exterior improvements, which have enhanced the property. The improvements to the property should not diminish or impair values within the zoning district. The establishment of the special use will not impact the normal orderly development for this area. The property was developed with a drive-thru window to offer quick food offerings, as well as, for sit down purposes. The established use has not had any impact on uses already permitted in the zoning district. The restaurant is a good fit for this area. The drive-thru window should ease up congestion for the sit down portion of the restaurant.
RECOMMENDATION:	Approval - A Special Use Permit for a fast food establishment with a drive-thru window in IL_CR (Light Industrial_Commercial Retail).
	Conditions: <ol style="list-style-type: none"> 1. The Special Use Permit expires with the change in use. 2. The business owner or property owner shall install an 8 foot deep landscape buffer out at the E. Riverside Boulevard frontage. The buffer shall include decorative grasses, Hostas, and Daylillies, and be mounded with protective ground cover. 3. The business owner or property owner shall include (3) Red Maples along the western property line as indicated in the illustration. No additional trees shall be required due to the installation of the landscape buffer on the Riverside frontage. 4. 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. All landscaping shall be completed by May 31, 2023.
ATTACHMENTS:	See attachments
ZONING BOARD RECOMMENDATIONS:	
Vote:	APPROVAL / DENIAL / TABLED

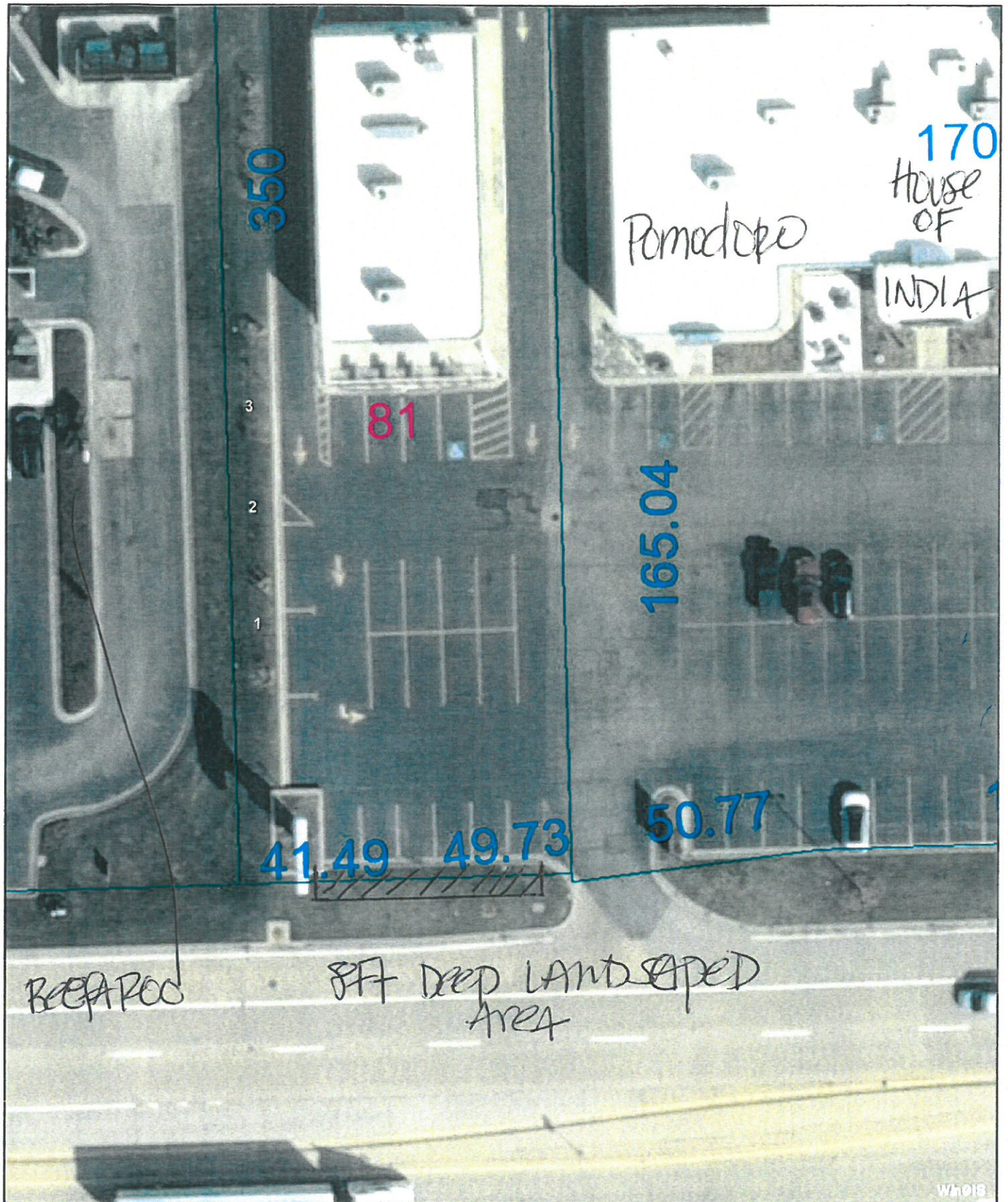
**AUDIENCE
COMMENTS:**



Parcel:	12-03-177-016
Address:	6390 E. Riverside Boulevard
Zoning:	IL_CR(Light Industrial_Commercial Retail)
Applicant:	Scott Frank 6390 E. Riverside Boulevard Loves Park, Illinois 61111
Property Owner:	Pete Spyrtatos 6390 E. Riverside Boulevard Loves Park, Illinois 61111







WIN GIS cannot and does not warrant the accuracy of, properly and boundary lines, dimensions of parcels and lots, location of structures or improvements, and topographic or geologic features on the land. Only on-site verification or field surveys by a licensed professional land surveyor can provide such accuracy.

0 30 60 Feet

SCALE: 1:377

WIN GIS
Winnebago County Geographic Information System

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.

6390 E. Riverside Boulevard

- 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:

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- 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: **6390 E. Riverside Boulevard**
 SUP drive-thru window

Chairman
Benjamin Danielson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: October 20, 2022

SUBJECT: A Special Use Permit to allow a car wash establishment in the CR (Commercial Retail) Zoning District.

LOCATION: 6245 N. Second Street and 519 Theodore Street

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

ZONING DISTRICT:

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

PROPERTY INFORMATION AND RELEVANT FACTS:

Building Setback:

Required:

Front yard:	30 feet
Side yard:	5 feet
Rear yard:	20 feet

Provided:

Front yard:	Greater than 30 feet
Side yard:	Greater than 5 feet
Rear yard:	10 feet

Landscaping:

Required: The applicant is required to provide a mounded landscape buffer across all frontages. The buffer is required to be 8 feet in depth, observing ingress/egress. The landscaping is required to be composed of a combination of trees (including evergreens), shrubs, ground cover, and some combination of live plants that should be salt tolerant.

Provided: The landscape plan shows an undulating landscape buffer being provided with a good mix of plants and trees. The landscape buffer meets the City's requirement.

Parking:

Required: There will be two to three employees during regular business operations. Four stalls are required, with one accessible stall.

Provided: The development will provide 30 stalls for all uses. No further parking is required.

Trash 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 trash enclosure is identified on the side plan and will be provided.

Fence Height:

Required: Maximum height for a fence is 6 feet.

Provided: Applicant would like to install a masonry wall that is 8 feet in height.

Findings The establishment of the special use should not be a detriment to area or negatively impact the adjacent property values for businesses or residential land owners. The business owner is taking precautions to control any noise and artificial light generated by the lights and blowers. The business owner will provide additional landscaping and would like to install an 8 foot masonry wall at the eastern property line to help mitigate noise and light pollution created by the establishment of the special use. As an added protection, there should be additional consideration for the hours of operations. Generally, business hours run from 8 or 9 am to 5 pm. Staff recommends limiting the hours of operations due to the proximity to residential properties. The development for this property should not impede or impact development for surrounding permitted uses in the district. The overall development for this property shall see some increased traffic to the area, with little impact to the surrounding residential uses. The establishment will provide adequate access and utilities as part of redeveloping the site, and measures will be taken to provide sufficient ingress/egress to help mitigate any issues related to traffic congestion.

RECOMMENDATION: **Approval** - A Special Use Permit to allow a car wash establishment in the CR (Commercial Retail) Zoning District.

Conditions:

1. The Special Use Permit expires with the change in use or change in property ownership.
2. The mixed masonry wall, up to a height of 8 feet, along the eastern property line shall be allowed for 519 Theodore Street, and mirror the wall established at the Elgin, Illinois Extreme Clean car wash location. The 8 foot wall shall extend to the recorded 25 foot building setback line on Theodore, and drop down to 4 feet to the property line. The mixed masonry wall shall extend south on the easterly property line of 519 Theodore Street. The increased height of the wall shall aide in the reduction of noise and artificial light generated by the establishment of the use.
3. The Special Use Permit shall be renewed 1 year from the date of approval.
4. The business or land owner will be responsible for the maintenance, repair, and replacement of all landscaping materials. The plant materials and landscaped bed areas shall be tended and maintained in a healthy growing condition and free from refuse, debris, and weeds at all times. Irrigation shall be provided for all landscaped areas.
5. A 10 foot rear setback shall be allowed to help reduce traffic congestion on Theodore Street, by having 3 service lanes.
6. The trash enclosure shall meet the requirements of Article III, Districts, Division 1, Section 102-132.

7. The hours of operations shall be limited due to the vacuums and the location of the the blowers. The business shall only be permitted to operate from 8am to 9pm.

ATTACHMENTS:

See attachments

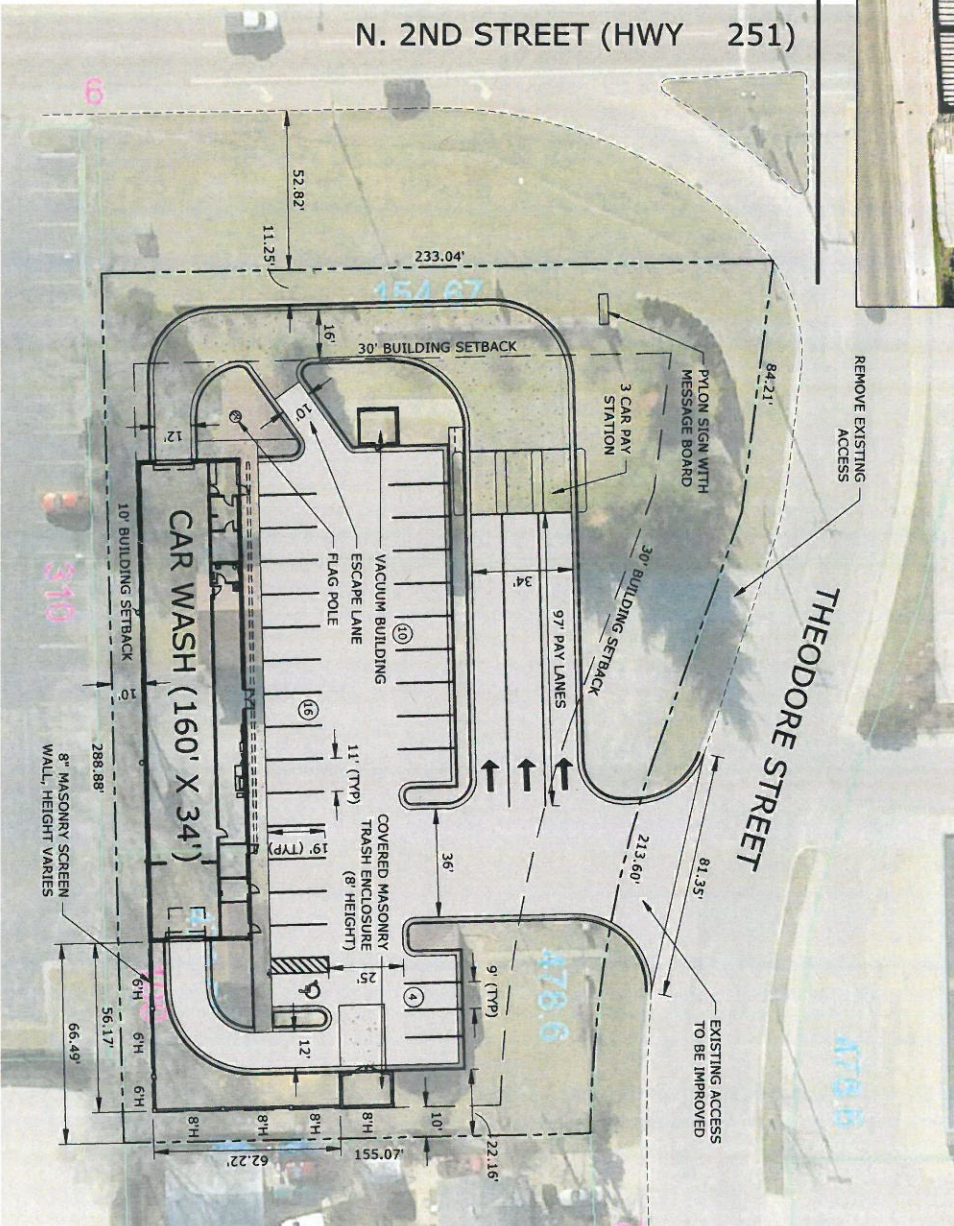
VOTE:

Approve / Deny / Lay Over

**AUDIENCE
COMMENTS:**



Parcel:	12-06-104-001 & 12-06-104-002
Address:	6245 N. Second Street & 519 Theodore Street
Zoning:	CR(Commercial Retail)
Applicant:	Daniel Gunsteen 651 S. Sutton Road #305 Streamwood, Illinois 60107
Property Owner:	G5 Farm Group 651S. Sutton Road #305 Streamwood, Illinois 60107



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.

6245 N Second Street and 519 Theodore Street

- 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: **6245 N Second Street and 519 Theodore Street**
SUP for a car wash

Chairman
Benjamin Danielson

Signature

Date