



AGENDA
LOVES PARK ZONING BOARD OF APPEALS
March 21, 2024

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 **February 15, 2024** meeting
3. Report from the Zoning Office – None
4. Unfinished business – None
5. New business –
 - A. 6200 Daytona Drive** – A Special Use Permit to allow 100% office space for an accounting business in the CR (Commercial Retail) Zoning District.
 - B. 6800 Forest Hills Road** – A Special Use Permit to allow outside storage in conjunction with mini-warehouse storage in the IL (Light Industrial) Zoning District.
 - C. 6800 Forest Hills Road** – A Variance from a required 8 foot in depth landscape buffer spanning the frontage to requested two landscape beds in the IL (Light Industrial) Zoning District
6. Public participation & comment
7. General discussion
8. Adjournment

Andrew Quintanilla
Zoning Officer



Minutes of the Loves Park Zoning Board of Appeals

Date: February 15, 2024 Time: 5:30 P.M.

1. Chairman: Benjamin Danielson call the meeting to order at: 5:30 PM

Members Present:	<u>Benjamin Danielson</u>	<u>Mr. Carlson</u>
	<u>Mr. Daniels</u>	<u>Mr. Kutz</u>
	<u>Mrs. Nelson</u>	<u>Mrs. Taylor</u>
		<u>Mr. Laudicina</u>

Members Absent: _____

Others Present Andrew Quintnailla (Secretary) _____

2. Minutes

Mrs. Taylor moved to approved the minutes from the **January 18, 2024** meeting. Mr. Daniels second the motion. Motion carried by vote.

3. Zoning Office Report - None

4. Unfinished Business - None

5 New Business

A. **5901 Material Avenue - A Special Use Permit to allow a business sign to be used as a billboard for off-site advertising in the CG (Commercial General) Zoning District.**

Petitioner: Andy Benson

Mr. Benson stated that he will be selling, possibly leasing the Benson Stone business in Loves Park. Mr. Benson stated that the business has the electronic sign out in front of the business on Riverside. He stated that he would like to carve out a piece of land for the sign and begin advertising on the sign as a billboard.

Mrs. Nelson asked the applicant if he was looking to sell time, or if it was going to be utilized for event promotions.

Mr. Benson stated that he would still be using the sign for his business in Rockford, however he also stated that he wanted to sell time on the sign to generate revenue.

Mr. Daniels asked if the applicant was going to sell the remaining property, and subdividing the sign out from the land.

The applicant stated that it will be subdivided.

NO PETITIONERS PRESENT

BOARD DISCUSSION

Mr. Quintanilla stated that the applicant will be required to subdivide the land for the sign as all of the other billboards in Loves Park have been required too.

Mrs. Nelson asked if the license that is required had restriction on the types of things that can be advertised.

Mr. Quintanilla stated there are no restrictions. He did state that there is a license requirement renewal annual. He also stated for one reason or another, that licensing for billboards has not been enforced.

Mr. Nelson stated that the billboard meets the restrictions placed on billboards for distances?

Mr. Quintanilla stated that it does not, but if they approved the special use, the ZBA body would be approving it with a built in variance to the petitioners distance requirement. The approval would be only for this sign only and not for other signs. The lack of the required distance would be specific to this sign and not other because the sign is existing. He also stated that the existing sign was pre-approved under the prior administration, and was approved under the pretense that the sign was a business sign, and right before the sign code changed for business signs.

Mrs. Nelson stated that provisions were put in place to reduce the number of billboards. Why would we approve this sign when it clearly doesn't meet the distance requirement. She asked what made this sign special that the applicant could be as close as 50 feet, when the City went through the developing a distance requirement for billboards.

Mr. Quintanilla stated that permission for this sign to be used as a business sign and not a billboard was approved under the previous administration. Permits were issued under this assumption.

Mrs. Nelson asked what the distance requirement for billboards is?

Mr. Quintanilla stated that at the moment he couldn't recall the distance. He recalled that it was somewhere at 100 feet to 1000 feet, and that this sign wouldn't meet either distance.

Mrs. Nelson stated that if we make this exception for this sign and it doesn't meet the distance requirement, then what are we to do for the next guy who wants to do the same thing.

Mr. Quintanilla stated that any new billboards that come in, the owner is required to remove to, provided they are under the same ownership. He stated that the major billboard company in the area is aware of the billboard guidelines. He stated that there were two other smaller companies in the City who are also aware of this .

Mr. Nelson asked if the applicant was going to remove two billboards.

Mr. Quintanilla stated that the applicant does not own adjacent billboards so he wouldn't be able to remove billboards in close proximity.

Mrs. Nelson asked the petitioner to explain why he doesn't include the sign with the sale of the business vs using the sign as a billboard. This way the sign remains a business sign and no distance requirement would be necessary.

The applicant stated that he was discussing the sale of the property with a couple interested parties, and that neither party had any interest in the sign. He stated that he would not have put up the sign if he knew the economics of building was going to be depressed so long.

NO BOARD DISCUSSION

FINDINGS OF FACT HAVE BEEN MET

NO OBJECTORS PRESENT

Mrs. Taylor made a motion to approve a special use permit to allow a business sign to be used as a billboard for off-site advertising in the CG (Commercial General) Zoning District for 5901 Material Avenue with the following conditions

Conditions:

1. The Special Use Permit expires with the change in ownership of the billboard.
2. The sign shall require regular and ongoing maintenance. If the City's Code Enforcement or Zoning Officer issues a notice of disrepair to the owner, and the billboard is not repaired within the specified time of the notice, the sign may be required to be removed and no new billboard sign may be erected as a replacement.
3. No additional square footage or height may be added to the sign as part of this petition.
4. A billboard license shall be obtained as required by Section 102-288 (g).

Mr. Carlson second the motion. Motion carried by vote 5-0. Mrs. Nelson voted no.

Mr. Danielson stated that this was the first meeting for the applicants petition, and that the second step in the process will be with an aldermanic committee on February 5, 2024 at 4:30 pm., in Council Chambers.

B. 234 E. Riverside Boulevard - A Special Use Permit to allow 100% office space in the CR (Commercial Retail) Zoning District.

Petitioner: Darcy Miller and Heather Hartman

The petition stated that she purchased the property in 2023 to use the property as a medical billing office. The applicant stated that at the time of purchase she was not aware that special zoning was required. It was only after she had begun working on the property to make repairs to the house, that she was contacted by a city inspector who explained to her that she needed to take out permits and contact the building department to see if the zoning was proper for the use.

Mrs. Hartman stated that the house appears to have been left abandoned. They were dealing with making improvements to the home due to rodent problems and lack of regular maintenance.

Staff stated that the home has been vacant for some years and that the City supported their request for the petition, over seeing the home unoccupied and falling into further disrepair.

Mrs. Nelson asked when they anticipated the work to be completed.

The petitioner stated they were just recently issued building permits from the City, but held off until a decision about the Special Use Permit was made, before they continued.

Mr. Daniels stated that he appreciated that they bought a piece of property in the city to establish their business. He asked if they knew about the conditions of the property when they purchased.

The applicant stated yes. She is a real estate agent and have come across properties like this over the years.

NO PETITIONERS PRESENT

FINDINGS OF FACT HAVE BEEN MET

BOARD DISCUSSION

Mrs. Nelson stated it is a similar use, office for office. It did not appear that its operations would be problematic.

Mr. Carlson made a motion to approve a special use permit to allow 100 % office space in the CR (Commercial Retail) Zoning District for 234 E. Riverside Boulevard with the following conditions;

1. The Special Use Permit expires with the discontinuance or sale of the medical office billing establishment.
2. All signage shall comply with the City's code, Section 102-284, for commercial signage.
3. The parking area shall be repaved or resurfaced and striped. The parking area shall provide for 1 ADA compliant parking stall.

Mrs. Nelson second the motion. Motion carried by vote 6-0.

Mr. Danielson stated that the next meeting for the petition will be on March 4, 2024 in City Council Chambers at 4:30.

C. 5723 N. Second Street - A Special Use Permit for an outdoor food market in the CR (Commercial Retail) Zoning District.

Petitioner: Carlos Rosario

The petitioner stated that he would like to open up an outdoor establishment at the form CD Source that recently burned down. He stated that he wanted to open up a food truck business there with the potential to invite up to 3 additional food trucks to provide entertainment for this area.

Mr. Rosario stated that he would be operation throughout the week with his truck only, and on the weekends he would like to invite other food trucks, as well as, banks to provide entertainment.

Mr. Laudacina asked if the applicant owned the property.

The applicant stated that he did not, but depending on how successful the property was there was discussion on buying the property.

Mr. Rosario stated that he would like to add two requests to the special use. The first request was a fence. That it not be a black aluminum fence, but a ranch style fence to provide the same security for the food truck that he would be leaving outside. He also stated that he would like to have a small business sign on the decorative feature of the fence. It would be located on the entrance off of N. Second Street.

The applicant stated that he would want to have outdoor heaters or fire pits to be able to provide warmth for patrons. He also stated that he would be working with the Loves Park Fire Department to see if this was possible.

Mr. Danielson asked the applicant he sound was given consideration if music was being provided. He stated this type of activity was new for this area.

The applicant stated that he doesn't see the music would be problematic due to the commercial businesses in the immediate area.

Mr. Laudicina asked if the location was going to be made up of all temporary structures.

The petitioner stated yes. He also stated that some items will be left outside. The applicant stated that he would like to purse an liquor license as part of the special use.

Discussion on liquor license statement.

Mr. Quintanilla stated that the liquor license was not part of the zoning. The applicant has to opportunity to apply for one, whether it is granted, was separate from this petition. He also stated that the applicant wanted to provide heat outside using lanterns or heaters. He stated that our office was not sure if that could be done so some language in the conditions for Fire Department approvals may be necessary.

The petitioner also stated that he would like to have a small business sign on the entrance to the area. Discussion on placement and size of the sign.

Mrs. Nelson asked how the fence was going to be secured. Will it have footings.

The applicant stated that the fence required permitted, and that the fence will have footings.

Mr. Laudicina remarked on the condition of the parking adjacent to the area.

The applicant stated that they would be making repairs in the current year, with substantial repairs to the available parking in the years ahead.

Mrs. Taylor asked if the business will be open 7 days a week.

The applicant stated that he wanted to be open till midnight on Friday and Saturday only. He didn't want to deal the potential issues developing with being open beyond midnight.

Discussion of if it would be necessary to place a condition on the special use referencing outdoor heating sources.

NO PETITIONERS PRESENT

FINDINGS OF FACT HAVE BEEN MET

BOARD DISCUSSION

Mr. Nelson made a motion to approve a Special use Permit for an outdoor food market in the CR (Commercial Retail) Zoning District for 5723 N. Second Street with the following conditions

1. The Special Use Permit expires with the discontinuance of the outdoor food mart granted to Mr. Carlos Rosario and shall be renewed in 1 year.
2. The fence indicated on the site plan shall be an open wooden fence. No temporary signage may be placed on the fence at any time.
3. The 24 parking stalls shown on the site plan shall be sufficient to accommodate customer parking. Of the 24 parking stalls provided, one shall be an ADA compliant stall.
4. A business license shall be obtained from the City Clerks office for this business within 30 days of the approval of the special use.
5. The parking area shall be striped according to the site plan.
6. The special use shall be limited to the months of March through December, weather permitting.
7. Weekend hours shall be limited from 11AM to 12AM, and weekday hours from 11AM to 9PM.
8. The decorative entrance fencing is allowed to have business signage no greater than 5 feet by 3 feet.

Mrs. Taylor second the motion. Motion carried by vote 6-0.

6. Public Participation and Comment

None

7. General Discussion

Mr. Daniels stated that he will no longer be presiding over the ZBA. He is relocating to another state for employment. Mrs. Nelson will be stepping into the position of Zoning Board Chair.

Mrs. Carlson moved that the meeting be adjourned. Second by Mr. Kutz. Motion carried by vote.
The meeting adjourned at 6:31 PM.

Secretary, Andrew Quintanilla



ZONING BOARD OF APPEALS

Community Development Department

Date: March 21, 2024

SUBJECT: A Special Use Permit to allow 100 percent office space in the CR (Commercial Retail) Zoning District.

LOCATION: 6200 Daytona Drive

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

ZONING DISTRICT:

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

Property Information

CR Requirements:

Setbacks:

Required:	Front yard building setback:	30 feet
	Side yard building setback:	5 feet
	Rear yard building setback:	20 feet
Provided:	Front yard building setback:	15 feet (existing)
	Side yard building setback:	20 feet and 100+ feet (existing)
	Rear yard building setback:	150 feet (existing)

Parking:

Required:	Twenty parking stalls, one of which, shall be ADA compliant stall.
Provided:	Twenty-one parking stalls, one of which is an ADA compliant stall.

Landscaping:

Required:	Landscaping is existing. There are several low lying shrubs and bushes along the front of the property.
Provided:	Several varieties of shrubs and bushes. Nothing further is required.

Dumpster enclosure:

Required:	Commercial properties are required to provide a dumpster enclosure for on-site
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	refuse.
Provided:	No dumpster will be provided. Office uses of this type generate low volume trash.
Findings:	<ol style="list-style-type: none"> 1 The establishment of the use will not be detrimental to the area. The property is zoned commercial retail. There are other uses that would be more impactful to the area that are inherently permitted, such as a bar, restaurant, grocery store, and retail. 2 The use will not be injurious to the zoning district or to uses already permitted in this area. Office uses tend to be low impact in commercial districts. The establishment of the use is unlikely to diminish and impair land values in the area. 3 The use will not impede the normal orderly development of the surrounding property for uses permitted inherently in the district. The area is comprised of mixed commercial service and retail uses.
RECOMMENDATION:	<p>Approval - A Special Use Permit to allow 100 % office space in the CR (Commercial Retail) Zoning District.</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. The Special Use Permit expires with the discontinuance of the accounting business or change in property ownership. 2. The Special Use Permit shall be revoked with verified complaints from adjacent businesses or property owners. 3. Customer parking shall only be permitted in the parking lot for this facility, and parking directly in front of the building is not permitted. Two no parking signs shall be placed in front of the building. 4. Customer parking shall not be permitted in adjacent parking lots, or other private property. 5. The Special Use Permit shall have a 1 year renewal from the date of approval. 6. A dumpster enclosure shall not be required. All trash shall be stored within the building.

APPROVAL / DENIAL / TABLED

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: _____

CONDITIONS:

AUDIENCE COMMENTS:



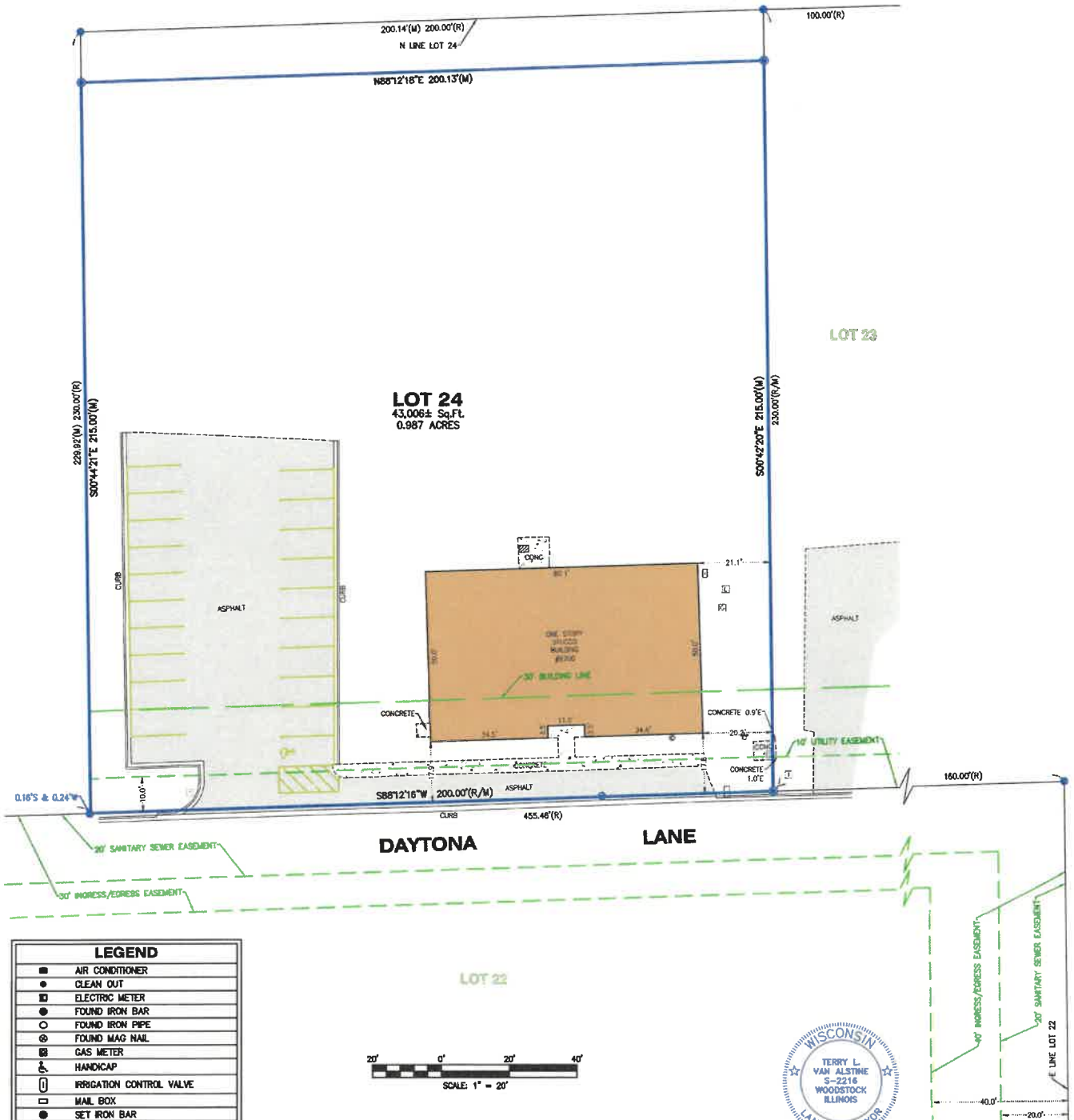
PARCEL NUMBER:	12-03-151-015
ZONING DISTRICT:	COMMERCIAL RETAIL
APPLICANT:	BRADLEY STIENBERG LEGACY HOLDINGS, LLC 12864 ASHFIELD ROAD CALEDONIA, ILLINOIS 61011
PROPERTY OWNER:	CHIEF LEGACY HOLDINGS, LLC 6200 DAYTONA DRIVE LOVES PARK, ILLINOIS 61111



Vanderstappen
Land Surveying, Inc.
www.vanderstappen.com
1316 N. Madison St.
Woodstock, Illinois 60098
ph. 815-337-8310 fax 815-337-8314
"Always faithful to the property line"

PLAT OF SURVEY

The South 215.00 feet of Lot 24 as designated upon Plat No. 6 of Rock Valley Business Park, being a Subdivision of part of the West Half of the Northwest Quarter of Section 3, Township 44 North, Range 2 East of the Third Principal Meridian, and a Replat of Lot 22 Plat No. 5 of Rock Valley Business Park, the Plat of which first named Subdivision is recorded in Book 38 of Plats on page 135A in the Recorder's Office of Winnebago County, Illinois, together with and subject to an easement for ingress and egress over the East 40.00 feet and the North 30.00 feet of Lot 22 of Rock Valley Business Park Plat No. 6; situated in the County of Winnebago and State of Illinois.



CLIENT: KAIZEN ACCOUNTING & VALUATION
DRAWN BY: TPS CHECKED BY: TVA
SCALE: 1"=20' SBC. Q3 T. 44 R. 02 E.
BASIS OF BEARING: IL EAST ZONE NAD83 (2011)
P.I.N.: 12-03-151-015
JOB NO.: 231102 I.D. LSS
FIELDWORK COMP: 01/03/24 BK. PG.
ALL DISTANCES SHOWN IN FEET AND DECIMAL PARTS THEREOF CONNECTED TO 00" F.

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

STATE OF ILLINOIS)
COUNTY OF McHENRY) S.S.

In my professional opinion, and based on my observations, I hereby certify that we have surveyed the premises above described, and that the plat hereon is a true representation of the said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.


Dated at Woodstock, McHenry County, Illinois 01/05 A.D., 20 24.

Vanderstappen Land Surveying Inc.
Design Firm No. 184-002792

By:
Illinois Professional Land Surveyor No. S2216

PROJECT DATA	
TEAM BUILDING	YES
TEAM REPRODUCTION	YES
ZONING DISTRICT:	CR
FAB:	N/A
PREPARED PLAN NUMBER:	D-61-91-00-000
LOT AREA:	40,000 SQ FT
OCCUPANCY CLASS:	ASSEMBLY - GROUP A-3 (GRTV)
PROPOSED:	DORMS - GROUP B (GRTV)
CONSTRUCTION TYPE:	5/5
OCCUPANT LOAD:	40 PERSONS
FIRE ALARM:	1 FIRM EXIST - USE SQ FT - COVERED
FIRE SPRINKLER:	NO
EXISTING FLOOR AREA:	3,500 SQ FT
NEW ALLOWABLE HEIGHT:	NONE
EXISTING HEIGHT:	UNKNOWN TO NEIGHAN
PARKING REQUIRED:	21 SPACES
PARKING PROVIDED:	11 SPACES
RETAIL:	
LANDSCAPED:	22 SPACES
TOTAL:	
LOADING SPACES REQUIRED:	0 SPACES
LOADING SPACES PROVIDED:	0 SPACES

[illegible][illegible]

 **PROYEKT STUDIO, LLC**
ARCHITECTURE, ENGINEERING

2810 RFD
Long Grove, IL 60047
773-796-5992, GZIOEMK@SBCGLOBAL.NET

**PROPOSED
OFFICE REMODEL**

REVISIONS			DATE
NO.	DATE	DESCRIPTION	

DATE **2/7/24**

JOB # **24012**

BY **A-1**

CH. BY **CH-1**

DATE

JOB #

BY

CH. BY

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.

6200 Daytona Drive

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: 6200 Daytona Drive

Chairman
Luke Carlson

Signature

Date



ZONING BOARD OF APPEALS

Community Development Department

Date: March 21, 2024

SUBJECT: A Special Use Permit to allow outside storage in conjunction with mini-warehouse storage 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 CR (Commercial Retail)

Property Information:

IL Requirements:

Setbacks:

Required:

Front yard building setback	30 feet
Side yard building setback	5 feet
Rear yard building setback	20 feet

Provided:

Front yard building setback	15 feet (existing)
Side yard building setback	20 feet and 100+ feet (existing)
Rear yard building setback	150 feet (existing)

Off-street parking:

Required: The existing building is roughly 20,000 square feet. It is unknown who the endusers will be. Based on the footprint of the building the required parking is 80 parking stalls, which shall include 3 ADA compliant parking stalls. The site plan shows that 31 parking stalls will be provided.

The required travel lanes for the mini-warhouse storage is 24 feet. The site plan does not indicate whether this will be observed.

The outdoor storage for the property does not identify how much outdoor storage the area can support. Off-street parking is required to be impervious. No new areas for parking can be created with gravel.

Provided: The site plan shows that there will be 31 parking stalls for the 20,000 square foot building. No ADA compliant stalls are identified.

Vehicle circulation is not identified. The site plan does not provide this information for the mini-warehouse storage and outdoor storage areas.

The site plan does indicate the location of the outside storage, however, the site plan does not indicate what the area can support. The applicants site plan shows that the outdoor storage area will be some sort of aggregate.

Dumpster enclosure:

Required: A dumpster enclosure for refuse is required. Each use is required to provide designated areas for refuse.

Provided: The site plan shows that a single dumpster enclosure will be provided.

Findings:

- 1 The establishment or operation of the special use will not be detrimental to the public health, comforts, or general welfare of the public or zoning district. The applicant has the capacity to make improvements to this property. Maximizing the potential to develop and enhance the property is important for this area. No valid hardship exists at this location. The applicant is basically starting new, on property that
- 2 The special use should not negatively impact the immediate vicinity for uses already permitted in the zoning district. The property has been vacant and fallen into disrepair for the better part of 30 years. Any new development will bring added traffic to the area, which should positively impact other services established in the zoning district.
- 3 The area is made of commercial and other light industrial uses. There have been no adverse impacts to the area based on these types of existing uses. Outside storage, while not ideal for the area, may be manageable with reasonable safeguards placed upon the approval. Outside storage areas in other areas of the city, have from time to time become overcrowded, and to some extent unmaintained.
- 4 Adequate utilities, access and drainage will be provided as part of the site development and plan review process for both uses.
- 5 Ingress/egress improvements will be part of the site development. The property is situated off of a service drive that should help minimize congestion to the public streets.

RECOMMENDATION: **Approval** - A Special Use Permit to allow outside storage in conjunction with mini-warehouse storage the IL (Light Industrial) Zoning District.

Conditions:

1. The Special Use Permit expires with the change in property ownership, sale of the mini-warehouse storage business.
2. The Special Use Permit shall be revoked with verified complaints from adjacent businesses or property owners.
3. The primary building on Forest Hills Road shall provide the required 80 parking stalls, with 3 of the stalls being ADA compliant stalls.
4. All areas for driving and parking shall be paved. Existing concrete and asphalt areas shall all be repaired and resurfaced. No parking on impervious surfaces shall be permitted.
5. The Special Use Permit shall be renewed 1 year from the date of approval.
6. A dumpster enclosure shall be provided for the primary building and for the mini-warehouse storage buildings. The enclosure may be shared between the office/contractor building and the mini-warehouse businesses. The enclosure shall be poured concrete or masonry to adequately shield containers within. The enclosure shall be relocated behind the existing building. The use of chain link fencing shall not be permitted the enclosure.
7. A 6 foot vinyl privacy fence shall surround the mini-warehouse and outside storage areas. The vinyl fence shall extend the full length of the southern parcel.
8. The storage of semis or semi tractor trailers shall not be permitted. No repairs or maintenance of vehicles shall be permitted at this location.
9. The area north of the mini-warehouse storage shall be restored back to grass, as indicated on the site plan.
10. Eight foot deep landscape buffers shall be provided in front of the mini-warehouse storage facility, as well as, along the service drive frontage on Forest Hills Road. An updated landscape plan shall be provided to Staff for approval within 30 days. The updated plan shall include landscape islands in the parking area, as well as, both landscape buffers. Stand alone landscape beds shall be provided for obscurity in between business on Riverside Boulevard.
11. All driving and parking areas shall be curbed.
12. All building setbacks shall be observed.

APPROVAL / DENIAL / TABLED

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: _____

CONDITIONS:

**AUDIENCE
COMMENTS:**



ZONING BOARD OF APPEALS

Community Development Department

Date: March 21, 2024

SUBJECT: A Variance from a required 8 foot in depth landscape buffer spanning the frontage to a requested two landscape beds in 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 CR (Commercial Retail)

Property Information

IL Requirements:

Landscaping:

Required: The petitioner is required to install an 8 foot deep landscape buffer across the frontage of the development. The owner of the property will be establishing two uses on the parcel. The mini-warehousing with outside storage will be centrally located, and the office building will be on the forest hills frontage. With the establishment of both uses, landscaping would be required. The site plan does not show that a landscape bed will be provided for the mini-warehouse use. The office use on the Forest Hills Road frontage shows that the owner is providing two landscape beds. There is also a requirement to provide landscape island beds in the required parking area. The site plan does not reflect this.

Provided: The applicant is providing two landscape beds on the Forest Hills Road frontage. No landscaping will be provided in front of the mini-warehouse storage, nor is the applicant providing landscape island beds in the parking area for the existing building that will be redeveloped.

Findings:

1 Strict or literal interpretation and enforcement would not result in practical difficulty or unnecessary hardship. The applicant is going to be developing the site for two primary uses, storage and offices. The applicant will have access to Enterprise Zone and TIF Resources that will help to offset costs as part of redeveloping the site. No valid hardship is present.

- 2 | There are no extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property. The property does not pose any restrictions against the landowner that would prevent him from providing the landscaping for both businesses.
- 3 | Strict enforcement of the specified regulation would not deprive the applicant of privileges enjoyed by other property owners in the same district. All new development is required to meet the code for development, whether it be through inspections for building codes, or zoning requirements. The applicant has the potential to improve the property with little to no issues.
- 4 | Granting the variation may be perceived as special privilege granted to the applicant. The applicant can meet the requirements of the code for landscaping for both uses.
- 5 | Granting the variation will not be detrimental to the general welfare and security of the public and vicinity. The request is a deviation from code requirements, that will enhance the property. The property has been sitting vacant for the better part of 30 years and has fallen into serious disrepair. The improvements to the property, required by code and through the special use, will enhance the property significantly. A variance to any landscaping is not advised.

RECOMMENDATION: **Denial** - A Variance from a required 8 foot in depth landscape buffer spanning the frontage to a requested two landscape beds in the IL (Light Industrial) Zoning District.

APPROVAL / DENIAL / TABLED

ATTACHMENTS: See attachments

**ZONING BOARD
RECOMMENDATIONS:**

Vote: _____

CONDITIONS:

**AUDIENCE
COMMENTS:**

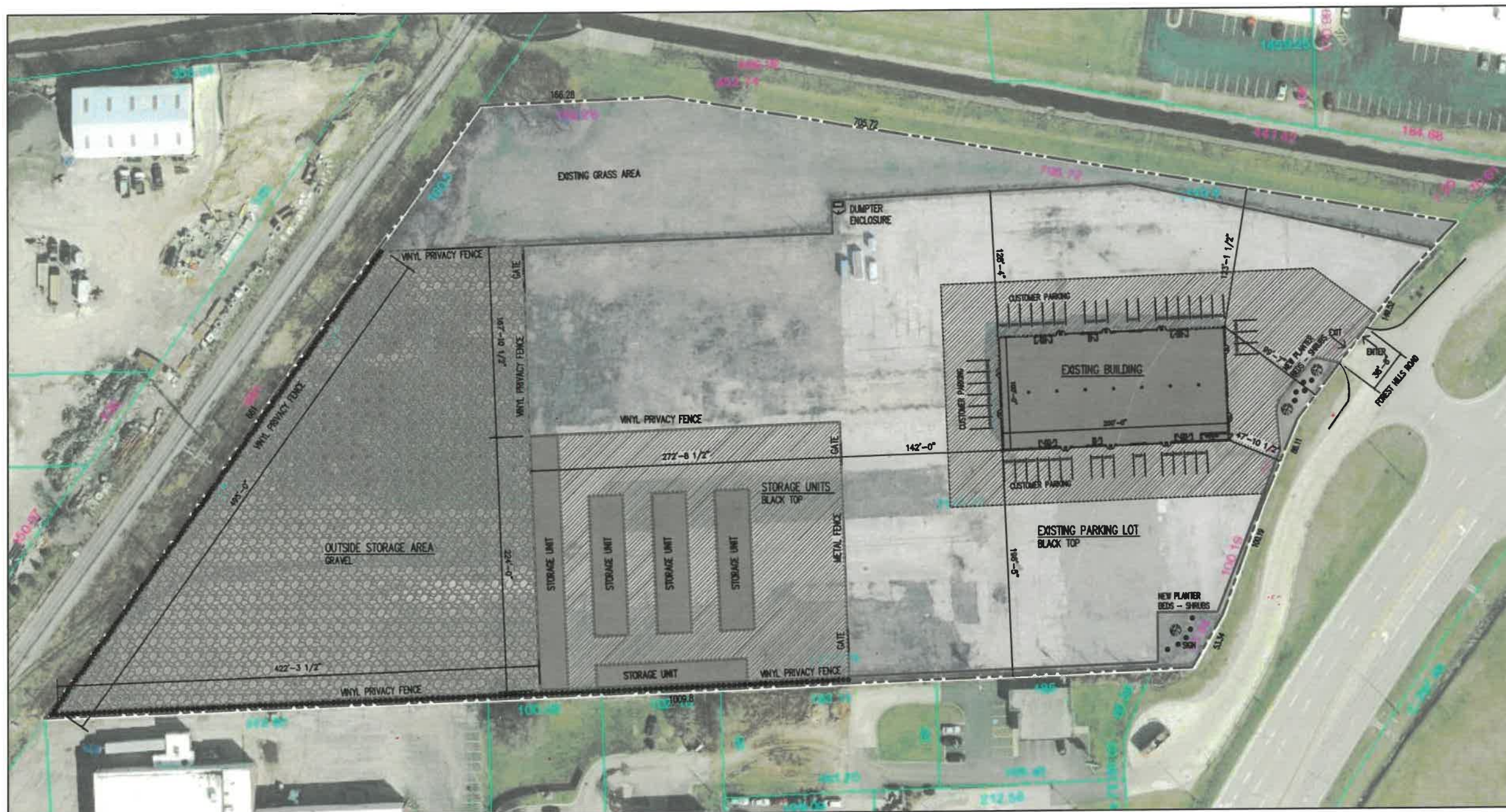


Parcel: 12-05-176-026

Zoning District: IL (Light Industrial)

Property Owner: Border Town Properties Corporation
7202 Clinton Road
Loves Park, Illinois 61111

Applicant: Darko Gilgorevic and Miguel Urena
6100 Broadcast Parkway
Loves Park, Illinois 61111



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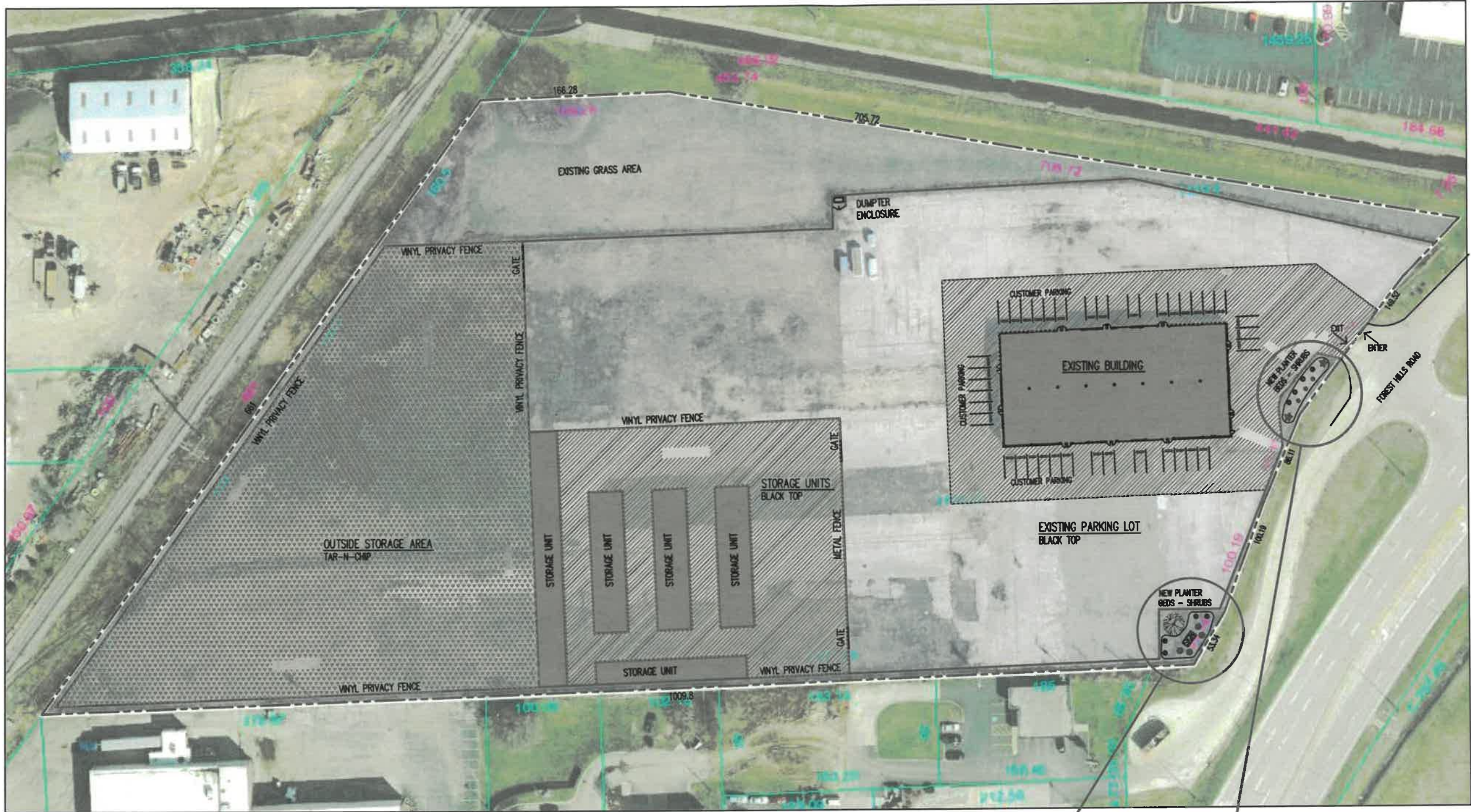
Homes, LLC
6100 Broadcast Pkwy
Loves Park, IL 61111
815-200-9788



SITE PLAN
NOT TO SCALE






2/13/2024

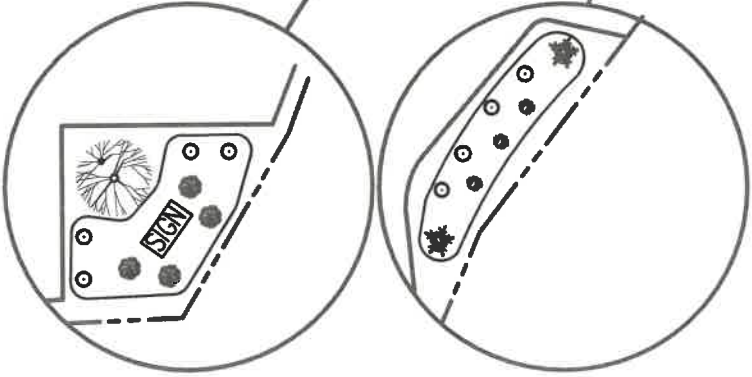
**6800 FOREST HILLS ROAD
LOVES PARK, IL**



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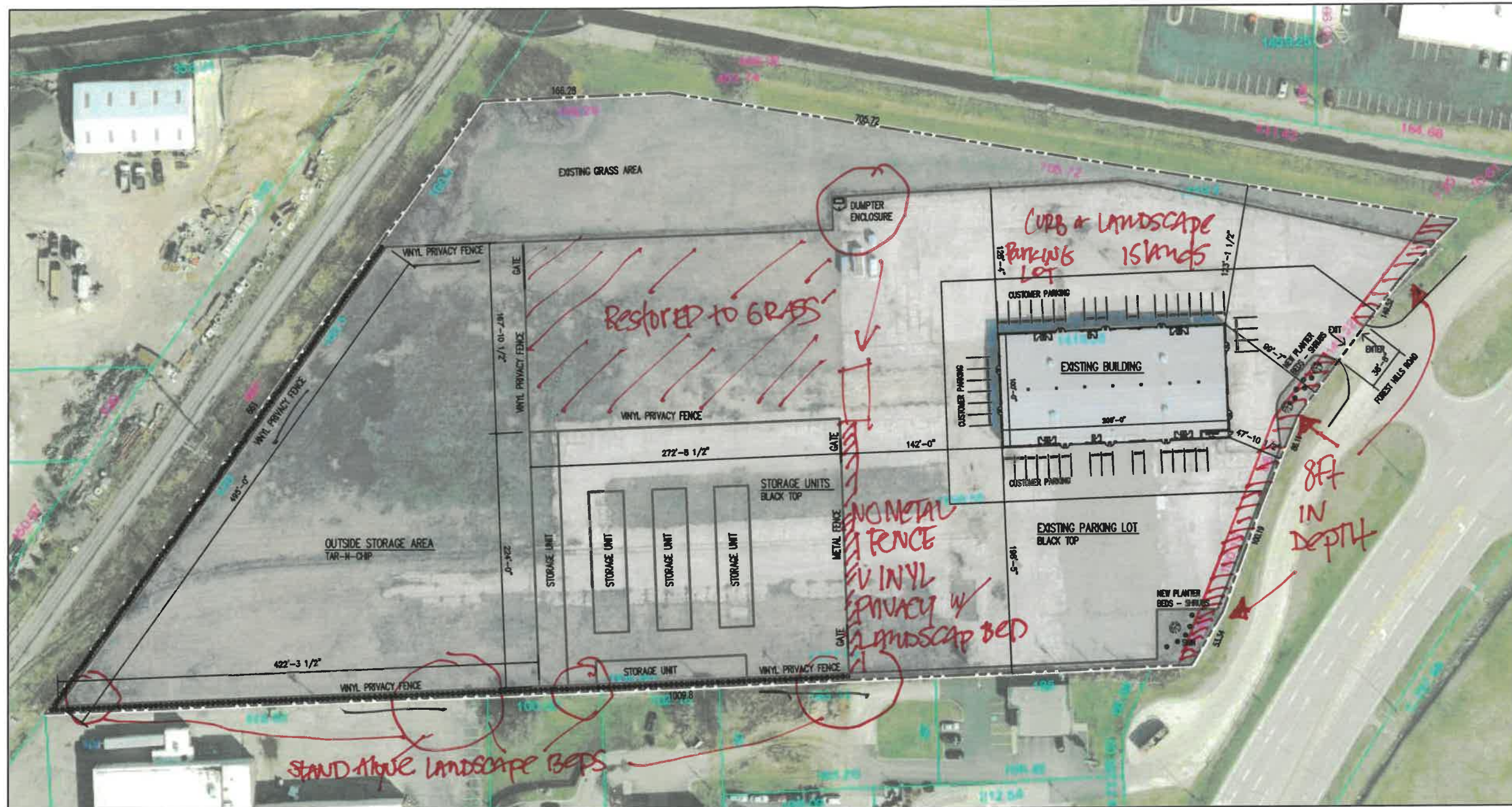
SYMBOL	AMOUNT	PLANT	HEIGHT	SPREAD
	3	RHODODENDRON	2'-3'	2'-3'
	8	BOXWOOD SHRUB	2'-20'	
	2	JAPANESE MAPLE	2'-25'	
	4	SPIREA	2'-3'	2'-3'
	1	MAPLE	33'-148'	



LANDSCAPE PLAN
NOT TO SCALE

6800 FOREST HILLS ROAD
LOVES PARK, IL

2/20/2024



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AMBASSADOR
 Homes, LLC
 6100 Broadcast Pkwy
 Loves Park, IL 61111
 815-200-9788

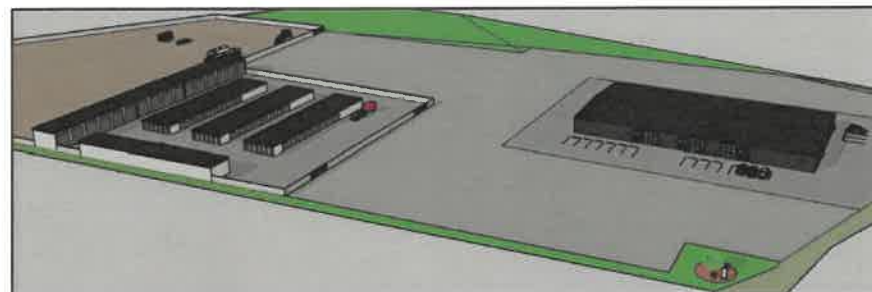
- STAFF RECOMMENDATIONS**
- 1) INSTALL 8' DEEP LANDSCAPE BUFFER
 - 2) RELOCATE DUMPER ENCLOSURE, (SHARED)
 - 3) NO CHAIN LINK FENCE, EXISTING FENCE SHALL BE REMOVED



SITE PLAN
 NOT TO SCALE

2/13/2024

6800 FOREST HILLS ROAD
 LOVES PARK, IL



OVERALL SITE 



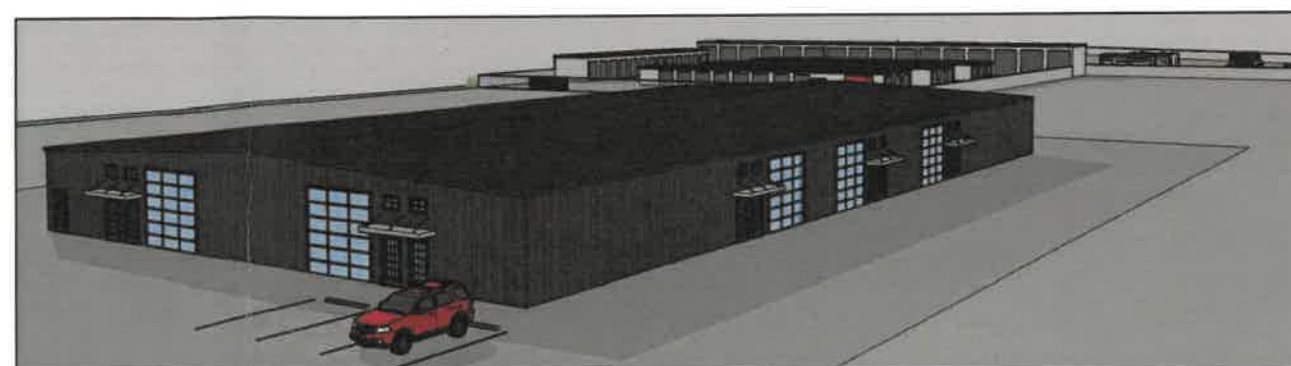
STREET VIEW – SOUTH SIDE



STREET VIEW – EAST SIDE

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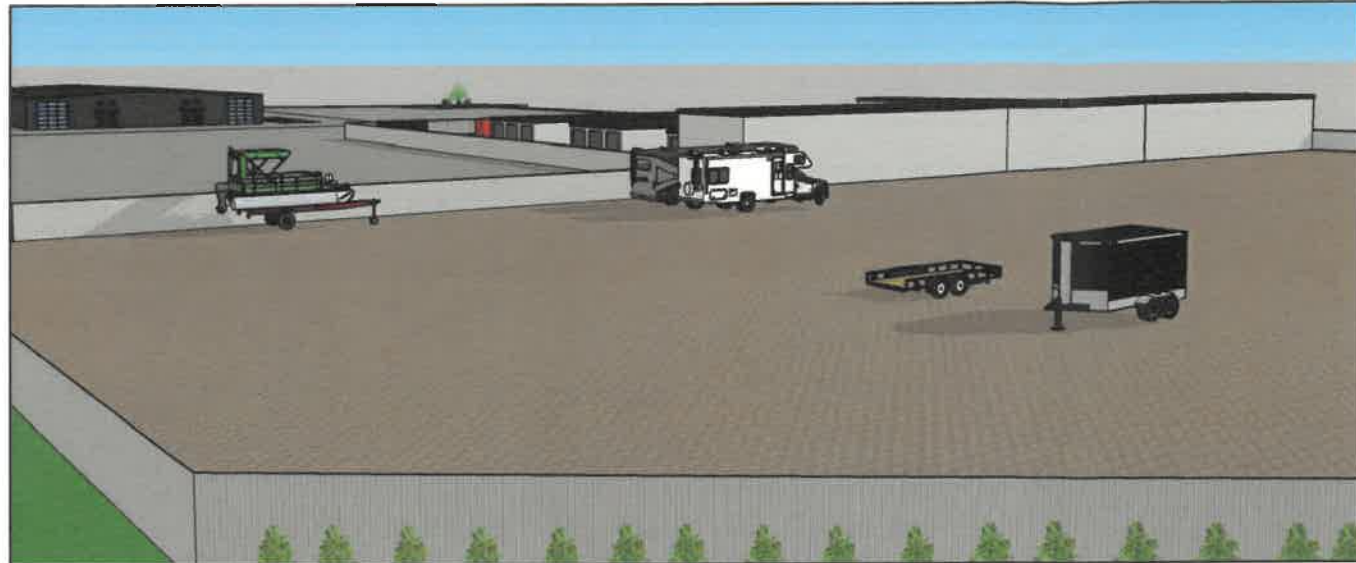
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 Homes, LLC
 6100 Broadcast Pkwy
 Loves Park, IL 61111
 815-200-9788



STREET VIEW – NORTH SIDE

6800 FOREST HILLS ROAD
 LOVES PARK, IL

2/13/2024



OUTSIDE STORAGE AREA



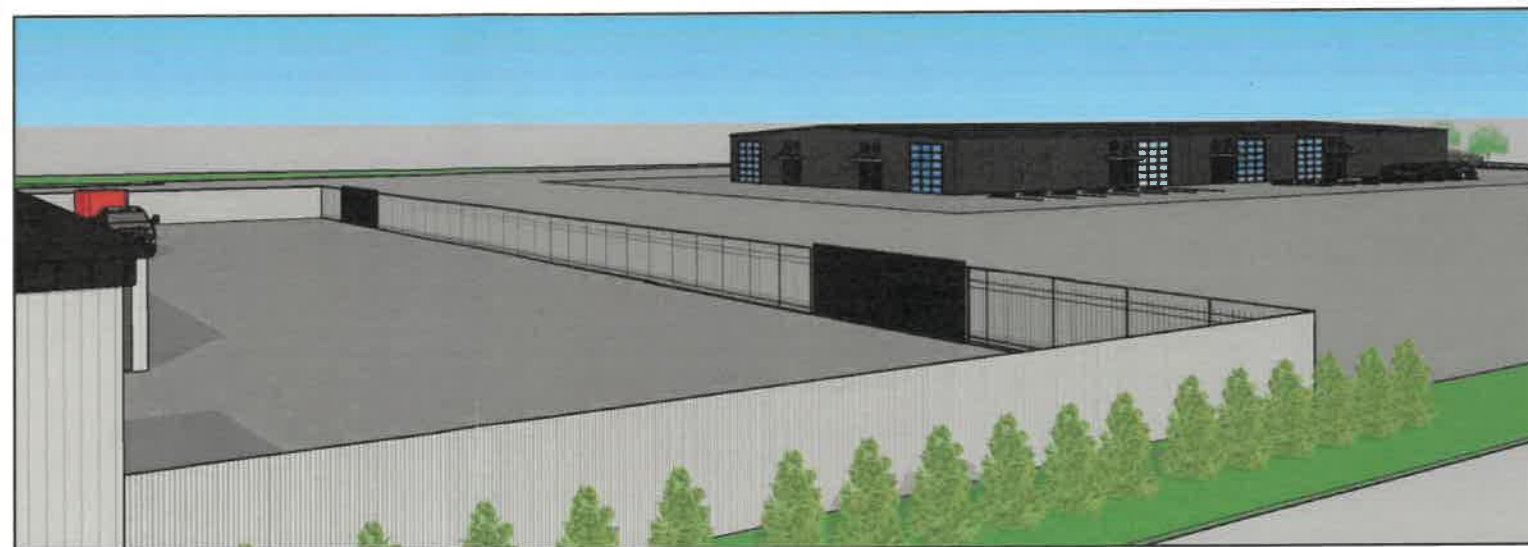
VINYL PRIVACY FENCE SIMILAR TO FENCE IN PHOTO.
COLOR TO MATCH SIDING COLORS.



STORAGE AREA - WEST VIEW

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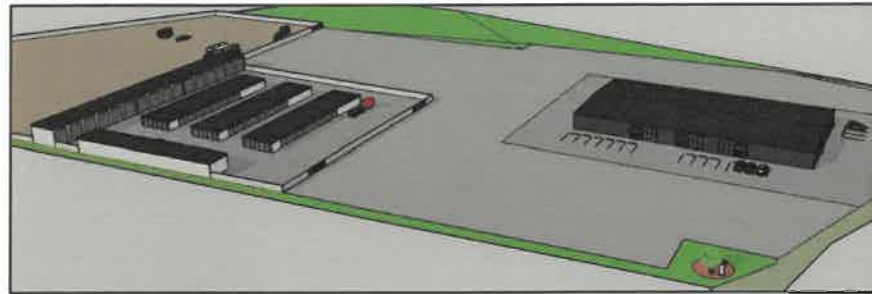
 **AMBASSADOR**
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6100 Broadcast Pkwy
Loves Park, IL 61111
815-200-9788



VIEW LOOKING NORTH

6800 FOREST HILLS ROAD
LOVES PARK, IL

2/13/2024

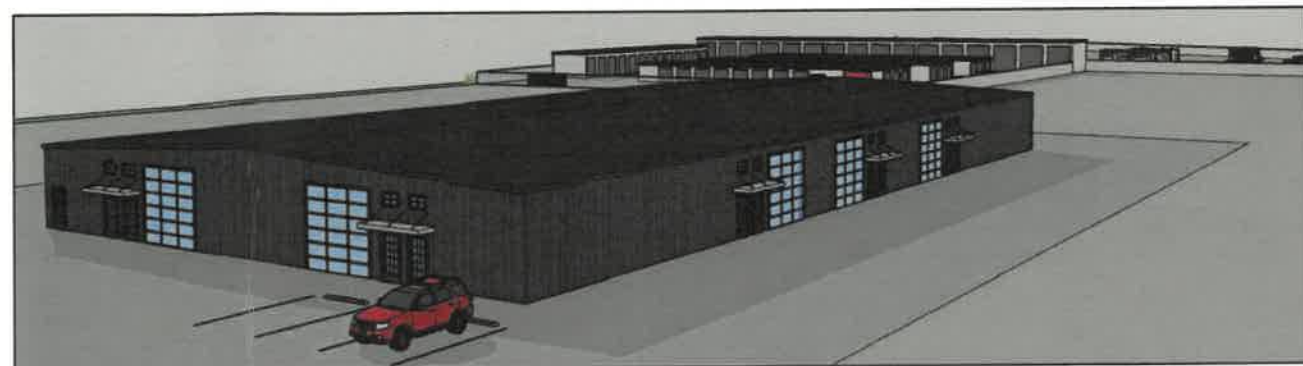


STREET VIEW - SOUTH SIDE



STREET VIEW - EAST SIDE

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STREET VIEW - NORTH SIDE

6800 FOREST HILLS ROAD
 LOVES PARK, IL

2/13/2024

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.

6800 Forest Hills Road

ZBA

- 1

The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Reason:
- 2

The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood.

Reason:
- 3

The establishment of the special use will not impede the normal orderly development and improvement of the surrounding property for uses permitted in the district.

Reason:
- 4

Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided.

Reason:

- 5 Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

Reason:

- 6 The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. The zoning officer shall forward the board of appeal's decision and records to the city council within ten days after action or within 45 days from the date of the public hearing if no action has been taken by the board of appeals.

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

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

Chairman
Luke Carlson

Signature

Date

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.

6800 Forest Hills Road

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: **6800 Forest Hills Road**
Variance from required landscaping

Chairman
Luke Carlson

Signature

Date