



**ZONING BOARD OF APPEALS**  
**Tuesday, August 16, 2016**  
**5:30 P.M. – City Council Chambers**  
**Rockford City Hall, 425 East State Street**

**Minutes on Website:** <http://rockfordil.gov/community-economic-development/construction-development-services/land-use-zoning/zoning-board-of-appeals.aspx>

**Present:**

**ZBA Members:** Alicia DiBenedetto-Neubauer  
Tom Fabiano  
Kimberly Wheeler-Johnsen  
Dan Roszkowski  
Scott Sanders  
Craig Sockwell

**Absent:** Melissa Luciani-Beckford

**Staff:** Scott Capovilla – Zoning and Land Use Administrator  
Marcy Leach - Public Works  
Angela Hammer - Assistant City Attorney  
Lafakeria Vaughn - Assistant City Attorney  
Tim Morris - Fire Department

**Others:** Alderman Teena Newburg  
Kathy Berg - Court Stenographer  
Applicants and Interested Parties

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Scott Capovilla explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board.
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Zoning Board of Appeals secretary and the stenographer.
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party.

- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, August 22, 2016, at 5:30 PM in City Council Chambers of this building as the second vote on these items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact the Zoning Office for any further information and the phone number was listed on the top of the agenda which was made available to all those in attendance. The City's web site for minutes of this meeting are listed on the agenda as well.

The meeting was called to order at 5:40 PM. A **MOTION** was made by Scott Sanders to **APPROVE** of the minutes from the June 21, 2016 meeting. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

**ZBA 021-16**

Applicant  
Ward 01

**6000 East State Street**

Dan Ericson for 6000 E State LLC

**Variation** to increase the maximum sign height from eight (8) feet to seventeen (17) feet and a **Variation** to increase the maximum square footage from sixty-four (64) square feet to one hundred fifty-four (154) square feet for a freestanding sign in an C-3, General Commercial Zoning District

The Applicant was not present when called to present the material. Since the Applicant was not present at this time, a **MOTION** was made by Kimberly Wheeler-Johnsen to layover the issue until the September 2016 meeting. The Motion was **SECONDED** by Alicia DiBenedetto-Neubauer and **CARRIED** by a vote of 6-0

**ZBA 022-16**

Applicant  
Ward 03

**214 and 230 North Church Street**

Board of Library Trustees of the City of Rockford

**Special Use Permit** for a temporary library in a C-4, Urban Mixed Use Zoning District

The Applicant, John Rearden from the Board of Library Trustees of the City of Rockford, presented the application for ZBA 022-16. Mr. Rearden stated that the purpose was a part of a plan for the Rockford Public Library to clean up and to replace the library on 215 North Wyman Street. They are committed to preserve the library and keep the location in the downtown area. They plan to use the Resource Intervention Center at 214 and 230 North Church Street as a temporary library facility while the main branch is being demolished and rebuilt. This Special Use Permit is to temporarily move the main branch library to the Resource Intervention Center. This project is contingent on an agreement with Commonwealth Edison for remediation services; however, they are making great progress. After the building at 215 N Wyman Street is rebuilt, they will then sell the Resource Intervention Center. The recommendation from Community and Economic Development was favorable. They will have no issue meeting all building and fire codes for the temporary library structure as well as all landscaping requirements.

Kimberly Wheeler-Johnson asked a question regarding the parking for patrons of the library as well as employees. Mr. Rearden responded that the lot across the street is used for library parking as well as for many other uses. He stated that this would be a little farther in the temporary location, however, it would still suit the needs for daily parking. Mr. Rearden also stated that there would be separate parking for their employees from that lot on North Church Street. Ms. Wheeler-Johnson then asked if they could implement directional signs to help direct patrons of the library, and Mr. Rearden agreed and stated that they were in the process of implementing directional signs. It was stated that the only way to access this parking lot is from West Jefferson St or North Church Street. The implementation of directional signs has been discussed with the Public Works department. Marcy Leach confirmed that there was

directional sign implementation in the process. Mr. Sockwell then asked if they are moving all resources from the main branch to the Resource Intervention Center. Mr. Rearden responded that the majority of things would be moved to the temporary location, however, due to the size of the temporary location and the volume of materials, not all materials would be moved. Mr. Rearden stated that IT operations will be moved to the Nordloff Center.

Alderman Teena Newberg stepped up to speak of her approval of this Special Use Permit. She was encouraging the Zoning Board to approve this special use permit. She discussed how there would be no adjacent parking allowed for the employees. She counted that there were thirty-two parking spots in the temporary location. She discussed how you can access the parking lot through the Mulberry Street alley entrance. She is glad to see the downtown library sustained.

There was no other Objectors or Interested Parties present.

A **MOTION** was made by Scott Sanders to **APPROVE** Special Use Permit for a temporary library in a C-4, Urban Mixed Use Zoning District subject to conditions one, two, and three as listed. The Motion was **SECONDED** by Kimberly Wheeler-Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.
2. Any future signage must meet current code.
3. Landscaping improvements to be installed as shown on Exhibits E and F.

**FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT**  
**FOR A TEMPORARY LIBRARY**  
**IN A C-4, URBAN MIXED USE DISTRICT**  
**LOCATED AT 214, 230 NORTH CHURCH STREET**

**Approval** of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use not will impede the normal or orderly development and improvement of the surrounding property for uses permitted in the C-4 Districts.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures have been taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use does conform to the applicable regulations of the C-4 Districts in which it is located.

**ZBA 023-16**  
Applicant  
Ward 05

**709 Dickerman Street**  
Guadalupe Rodriguez

**Variation** to increase the fence height from four (4) feet to six (6) feet in the front yard in an R-1, Single-family Residential Zoning District

The Applicant, Guadalupe Rodriguez is the owner at 709 Dickerman Street. He presented the application for ZBA 023-16. Rodriguez built the house at 709 Dickerman Street where it is not the best side of Rockford. The applicant built a six foot fence in the front yard and would like to keep the fence in that condition. He stated that the six foot fence has been present for three to four years. Mr. Rodriguez stated that his property is in good shape and he maintains the property properly.

Scott Sanders asked Mr. Rodriguez about the material of the fence. The applicant responded that the fence is a wooden, vertical picket fence located in the front of the yard. The applicant added that he is located at a dead end and that not many drive by his part of the neighborhood. Dan Roszkowski asked if his yard went to the west side of the alley. Rodriguez responded that part belonged to his neighbor. He then added that he removed the gravel on the west side and added dirt and grass seed. Kimberly Wheeler-Johnsen asked if the alley had been vacated, and Marcy Leach confirmed that the alley has been vacated. Dan Roszkowski asked what was being stored in the shed and if he was running a business out of the shed. Mr. Rodriguez responded that he previously had a landscaping business and he stores the equipment in the shed.

Mary Braden, the property owner from across the street stated that she had come to the meeting to receive clarification on Mr. Rodriguez's height of the fence and whether there was a business being run out of his property. Ms. Braden commented that she had no problem with the six foot fence; she did not want the fence approved to be any higher than it already stands. She confirmed that the property was maintained properly and she had no issue with the current state of the six foot fence.

There was no other Objectors or Interested Parties present.

Staff recommended to keep the fence to four feet in compliance with the ordinance.

A **MOTION** was made by Scott Sanders to **DENY** a Variation to increase the fence height from four (4) feet to six (6) feet in the front yard in an R-1, Single-family Residential Zoning District. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

With no further business to report, the meeting was adjourned at 6:06pm.

Respectfully Submitted,  
Rachel A. Benson, Senior Office Assistant  
City of Rockford Department of Community & Economic Development