



**ZONING BOARD OF APPEALS**  
**Wednesday, February 22, 2017**  
**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:** Dan Roszkowski  
Scott Sanders  
Craig Sockwell  
Melissa Beckford  
Kimberly Johnsen

**Absent:** Tom Fabiano  
Alicia DiBenedetto-Neubauer  
Scott Sanders

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

**Others:** Alderman Franklin Beach  
Alderman Ann Thompson-Kelly  
Kathy Berg - Court Stenographer  
Applicants and Interested Parties

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Sandra Hawthorne 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 Liquor & Tobacco Advisory Board 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, February 27, 2017, at 5:30 PM in City Council Chambers in 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. This information was also presented in written form attached to the agendas.

The meeting was called to order at 5:35 PM. A **MOTION** was made by Craig Sockwell to **APPROVE** the minutes from the January 19, 2017 meeting as written. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0 with Alicia Neubauer, Scott Sanders and Tom Fabiano absent.

**ZBA 001-17**  
Applicant  
Ward 11

**2433 20<sup>th</sup> Street**

Nancy Haas

**Special Use Permit** for towing, automotive repair and outside storage of vehicles in an I-1, Light Industrial Zoning District

The subject property consists of approximately 1.49 acres and is located on the west side of 20<sup>th</sup> Street. Currently there is a vacant manufacturing building with an office on the property. Nancy Haas and Joseph Lozdoski were present. Due to the Kishwaukee School project, they are needing to relocate to this new location. She stated typically any vehicles they tow have come from an accident and the fluids have already leaked out at the scene. Ms. Haas stated they do store and dispose of any liquids according to regulations and batteries are returned rather than stored on premises.

The Board had no questions of the Applicant.

Staff Recommendation is for Approval with (6) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Melissa Beckford to **APPROVE** the Special Use Permit for towing, automotive repair and outside storage of vehicles in an I-1, Light Industrial Zoning District at 2433 20<sup>th</sup> Street. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Must meet all applicable building and fire codes.
2. Submittal of a revised site plan and landscaping plan for Staff's review and approval.
3. The outside storage is only permitted behind the fenced in area. No company vehicles should be parked within the customer parking.
4. The flag pole along 20<sup>th</sup> Street must be removed or restored.
5. The proposed fence and gates along the east must be sight obscuring fence material.
6. All conditions must be met prior to establishment of use and issuance of a certificate of occupancy.

**ZBA 001-17**  
**Findings of Fact for Approval of a Special Use Permit**  
**For Towing, Automotive Repair and Outside Storage of Vehicles**  
**In an I-1, Light Industrial Zoning District at**  
**2433 20<sup>th</sup> 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, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the I-1 Zoning District.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
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.
6. The special use shall, in all other respects, conform to the applicable regulations of the I-1 Zoning District in which it is located.

**ZBA 002-17**

Applicant  
Ward 12

**3211 & 3219 North Main Street**

John Voulgaris

**Variation** to reduce the required 15 feet front yard setback to 12.5 feet along North Main Street in a C-2, Limited Commercial Zoning District

The subject property is a strip center located on the east side of North Main Street, 720 feet south of the Halsted Road and North Main Street intersection. Lori McGirk, Attorney for the applicant, reviewed the request for Variation. She explained that Mr. Voulgaris' property is losing frontage because of the IDOT project along the North Main corridor. As such he will no longer be able to meet the front yard setback. Should his building be destroyed he would not be able to rebuild at the same current size without the Variation. Attorney McGirk stated the application is for 3211 North Main only and was not certain why 3219 North Main was also listed. Mr. Capovilla explained that because this is a strip mall, it contains both addresses.

Staff Recommendation is for Approval with (4) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the Variation to reduce the required 15 feet front yard setback to 12.5 along North Main Street in a C-2, Limited Commercial Zoning District at 3211 & 3219 North Main Street. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meeting all Building and Fire Codes.
2. Submittal of Sign Permit for the proposed new multi-tenant free-standing sign for Staff review and approval.
3. The site and landscaping must be in compliance with the approved Exhibits E and F.
4. All conditions must be met prior to establishment of use.

**ZBA 002-17**  
**Findings of Fact for Approval of a Variation**  
**To Reduce the Required 15 Feet Front Yard Setback**  
**To 12.5 Feet Along North Main Street**  
**In a C-2, Limited Commercial Zoning District at**  
**3211 North Main Street**

**Approval** of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

With no further business to come before the Board, the meeting was adjourned at 5:50 PM.

Respectfully Submitted,  
Sandra A. Hawthorne, Administrative Assistant  
Zoning Board of Appeals