



ZONING BOARD OF APPEALS
Tuesday, April 18, 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
Craig Sockwell
Melissa Beckford
Tom Fabiano
Alicia Neubauer
Kim Johnsen

Absent: Scott Sanders

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

Others: Kathy Berg - Court Stenographer
Applicants and Interested Parties

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, April 24, 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 5:30 PM. A **MOTION** was made by Alicia Neubauer to **APPROVE** the minutes from the March 21, 2017 meeting as written. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 5-0 with Kim Johnson abstaining and Scott Saunders absent.

ZBA 005-17

Applicant
Ward 06

715 Kennon Road

Central States Tower III, LLC

Special Use Permit for a 110' cellular tower in an I-1, Light Industrial Zoning District

The subject property is located on the north side of Roosevelt Road (Logan Road) and consists of an auto parts / auto repair facility. There is an auto salvage yard with outside storage of motor vehicles established in 2001. Bill Schrader, representing Central States Tower III, LLC and Verizon Wireless reviewed his request for a new cellular tower. The tower will be 105' high with a 5' lighting rod. It will have the capacity to accommodate 3 additional carriers. The Verizon antenna will be located at a height of 100'. The tower is designed to collapse onto itself with a zero fall radius. Fencing will be installed as well. The access road will be an asphalt drive connecting the compound to Roosevelt / Logan Road. Scott Capovilla explained that Logan was the original name of this road and it was then changed to Roosevelt. The survey showed both names. It was explained that all adjacent parties, including residents to the south did receive notification of this application.

Staff Recommendation is for approval with (3) conditions. No Objectors or Interested Parties were present.

Alicia Neubauer suggested adding a condition that the landscaping be installed per Exhibit H.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the Special Use Permit for a 110 cellular tower in an I-1, Light Industrial Zoning District at 715 Kennon Road with the addition of Condition 4. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all applicable building and fire codes.
2. Must pave gravel areas or replace these areas with topsoil and seed.
3. Must submit a separate permit for the fence.
4. Landscaping to be installed as shown on Exhibit H

**Findings of Fact for Approval of a Special Use Permit
For a 110' Cellular Tower
In an I-1, Light Industrial Zoning District at
715 Kennon Road**

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 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 006-17

Applicant
Ward 14

4747 Harrison Avenue

Cristian Gomez / Sunpower Corporation

Special Use Permit for the installation of a solar farm consisting of freestanding solar panel racks and solar panels in an I-1, Light Industrial Zoning District

The subject property is located east of South Alpine Road and south of Harrison Avenue. It is one large parcel of 82.07 acres in size surrounded by industrial, commercial and residential uses. Cristian Gomez, Applicant, reviewed his request for Special Use Permit. He agrees to comply with all requirements of the zoning ordinance.

Staff Recommendation is for Approval with (3) conditions. One Supporter was present.

Karen Russ was present as a Supporter. She stated she is a neighbor and a PhD candidate studying climate science at the University of Wisconsin. Ms. Russ stated in the future we can expect to have big economic and environment problems. She feels this project is going to be very beneficial to the environment. She expressed that the Applicant's willingness to financially invest in a project such as this shows their concern and dedication to the environment and a way to protect our climate.

A **MOTION** was made by Melissa Beckford to **APPROVE** the Special Use Permit for the installation of a solar farm consisting of freestanding solar panel racks and solar panels in an I-1, Light Industrial Zoning District at 4747 Harrison Avenue. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building permits for Staff review and approval.
3. Submittal of fence permit for Staff review and approval

ZBA 006-17
Findings of Fact for Approval of a Special Use Permit
For Installation of a Solar Farm
(Free-Standing Solar Panel Racks and Solar Panels)
In An I-1, Light Industrial Zoning District at
4747 Harrison Avenue

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 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.

With no further business to come before the Board, the meeting was adjourned at 5:53 PM

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