



**Zoning Board of Appeals Minutes
Tuesday, August 18, 2020
5:30 P.M. – City Council Chambers, 2nd floor, City Hall
Via video conference on Cisco Webex
425 East State Street
Rockford, IL 61104
779-348-7163**

Present:

ZBA Members:

Dan Roszkowski
Jennifer Smith
Kim Johnsen
Maurice Redd
Tom Fabiano
Jennifer Spencer

Absent:

Craig Sockwell

Staff:

Lafakeria Vaughn – Assistant City Attorney
Leisha Kury- Administrative Assistant
Scott Capovilla – Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Samantha Heim – Videographer

Others:

Kathy Berg- Court Stenographer
Applicants and Interested Parties

Dan Roszkowski, Chair of the ZBA, stated that this meeting was being held remotely because he found that an in-person meeting is not practical or prudent because of the disaster declared by Governor Pritzker on July 24, 2020. Since this is a public hearing with an unknown number of attendees, which could be more than 50 people, an in-person meeting at City Hall is not feasible at this time.

Lafakeria Vaughn explained the format of the virtual meeting and the rules of procedure, as follows:

Due to the COVID-19 pandemic and social distancing restrictions, this public hearing for the Zoning Board of Appeals was held by video conference, using Cisco Webex. The audio was streamed at City Hall in Council Chambers and on the City's website.

As the host, she would be monitoring microphones and attendees during the meeting. Notices and agendas were posted and sent about this meeting which informed interested parties about the ways they could submit comments and questions regarding agenda items. This included: written public comments being submitted by 5:00 pm, on August 18, 2020 to Attorney Vaughn's email, or the City's payment drop

box located at City Hall or coming to City Hall to listen to the meeting and present any comments in Council Chambers.

The agenda and staff recommendation packets were also posted on the City's website. All applicants on the conference had previously consented to proceeding with the virtual hearing. Some additional rules for the meeting:

- Please speak clearly and not too fast so the court stenographer can make an accurate record.
- Please be sure to identify yourself before speaking.
- Applicants and interested parties, after being sworn in by the Chair, please state and spell your name for the record.
- If you're not speaking and I fail to mute you, please mute yourself so that the meeting is not disrupted.
- No person will be allowed to speak unless they are first recognized by the Chair.
- All votes will be by roll-call.
- Since we're on video /audio, please refer to exhibits or page numbers, if applicable. All exhibits should have been provided prior to the meeting and within the recommendation packet. Due to this being a virtual hearing, applicants if you have any new exhibits that you want considered by the Board for your request, you may request a layover. Those exhibits will also need to be provided to Staff and the public as part of the complete packet.
- If you are having any technical issues, please use the chat box function and send a message directly to me "Lafakeria" or use the raise your hand function.
- Applicants, should you have technical issues or decide to lay your item over instead for whatever reason, please let the Board know when your item is called.
- LTAB applicants were given the option to be put "in the lobby" on the conference. This means that they would not be able hear or see anything during the ZBA meeting.

Lastly, the procedure would be as follows:

- The Chair will call the address of the application.
- The Applicant or representative will be unmuted and be sworn in.
- The Applicant or representative will present their request to the Board.
- The Board will ask any questions they may have regarding this application.
- The Chair will then ask if there are any Objectors or Interested Parties comments to be read into the record or anyone at City Hall. Individuals at City Hall will be given the opportunity to speak and they will be sworn in. Then, Legal will read any written comments into the record that were received in advance.
- The Objector or Interested Party will state their name and present all their concerns, objections and questions 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 raised.
- Interested party at City Hall will have another opportunity to provide any additional follow up based on the Applicant's responses.
- The Board will then deliberate and a roll call vote will be taken.

The ZBA meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the ZBA meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Codes & Regulations meeting will be Monday, August 24, 2020 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Tuesday, September 8, 2020. If the item is laid over at the ZBA meeting, the next meeting is Tuesday, September 15, 2020. If for any reason

the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 5:43 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the June 21, 2020 meeting minutes. The Motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 6-0.

ZBA 016-20	<u>1325 7th Street</u>
Applicant	Deanna Lacny for Rock House Kids
Ward 11	A Special Use Permit for a mural on a building in a C-2, Limited Commercial Zoning District

Scott Capovilla, Planning and Zoning Manager, spoke on behalf of the applicant, Deanna Lacny who was not present at the meeting. Mr. Capovilla stated that Rock House Kids is a non-profit organization who provides a good safe haven for children in the community, more specifically for the children in the neighborhood located in the 7th street and Broadway area. Rock House Kids is requesting a mural to signify what their location stands for. The mural they are requesting is simple and was designed by a teenager who is part of their organization. Rock House also plans to have the kids served by their organization participate in the mural painting as well.

Staff Recommendation is for Approval with four (4) conditions. No Objectors or Interested parties were present. No emails were read into the record.

A **MOTION** was made by Tom Fabiano to **APPROVE** a Special Use Permit for a mural on a building in a C-2, Limited Commercial Zoning District. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Submittal of mural elevation and placement of mural on building for staff's review and approval prior to installation.
2. A sign permit shall be required including an illustration of the proposed artwork shall be submitted with the permit application.
3. The mural panels may not consist of a vinyl banner material within a frame.
4. The mural must be maintained to meet code.

FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT
FOR A MURAL ON A BUILDING IN A C-2, LIMITED
COMMERCIAL ZONING DISTRICT
LOCATED AT 1325 7TH 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 will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be 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 conform to the applicable regulations of the C-2 District in which it is located.

ZBA 017-20

Applicant
Ward 12

4850 North Main Street

Peter Nora / U-STOR-IT

A Special Use Permit for outdoor storage or U-Haul truck rentals in an I-1,
Light Industrial Zoning District

A **MOTION** was made by Jennifer Smith to **LAY OVER**, a Special Use Permit for outdoor storage or U-Haul truck rentals in an I-1, Light Industrial Zoning District. The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 6-0.

With no further business to come before the Board, the meeting was adjourned at 5:59 PM.

Respectfully submitted,
Leisha Kury, Administrative Assistant
Zoning Board of Appeals