



**Zoning Board of Appeals Minutes
Tuesday, November 17, 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
Jennifer Spencer
Craig Sockwell
Tom Fabiano

Absent:

Staff: Lafakeria Vaughn – Assistant City Attorney
Brooke Benoit- Assistant City Attorney
Leisha Kury- Administrative Assistant
Scott Capovilla – Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Samantha Heim – Videographer
Jeremy Carter - Traffic Engineer

Others: Paula Quetsch- 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 November 13, 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 November 17, 2020 to Attorney Vaughn's email, or to the Permit Center

located on the first floor 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 Chairman will then ask if there are any Objectors or Interested Parties present at City Hall or any emails to be read into the record. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and state and spell their name for the record. Legal staff 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 Code & Regulation meeting will be Monday, November 23, 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 Monday, December 7, 2020. If the item is laid over at the ZBA meeting, the next meeting is Tuesday, December 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 5:45 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the October 20, 2020 meeting minutes. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0.

ZBA 022-20

Applicant
Ward 7

2112 North Central Avenue

Luis Pena

A Special Use Permit for vehicle sales and a motor vehicle repair shop to include body work, painting, commercial vehicle repairs and outdoor storage for 21 vehicles waiting for servicing or repair in a C-3, General Commercial Zoning District

The applicant, Luis Pena, was present. Mr. Pena stated he is requesting a special use permit for an auto repair shop and outdoor storage of vehicles at 2112 North Central Ave. The subject property is located on the west side of North Central Avenue and approximately 2,200 feet north of the Auburn Street and North Central Avenue intersection. The neighborhood is a mixture of commercial, industrial and residential uses.

Craig Sockwell asked the applicant how many vehicles will be at the property. Mr. Pena stated that about 50 vehicles will be on the site including the outside storage. Dan Roszkowski also asked the applicant how many vehicles will be worked on in a given hour. Mr. Sockwell stated he has 21 vehicles. Mr. Pena stated those 21 vehicles will be for the outdoor storage. Mr. Sockwell asked how many vehicles will be displayed for sale. Mr. Pena stated around 10 vehicles.

Staff Recommendation is for Approval with ten (10) conditions. No Objectors or Interested parties were present. No emails were read into the record.

A **MOTION** was made by Kim Johnsen to **APPROVE** a Special Use Permit for vehicle sales and a motor vehicle repair shop to include body work, painting, commercial vehicle repairs and outdoor storage for 21 vehicles waiting for servicing or repair in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Submittal of Building Permits for Staff's review and approval.
3. Removal of the existing free-standing sign and replacement with a landmark style sign that meets the current sign ordinance.
4. Submittal of revised site plan to include improvements to the parking lot for Staff's review and approval
5. Submittal of a full landscape plan including perimeter landscaping and green areas with plant species and size for Staff's review and approval.
6. Submittal of a Dumpster Enclosure Permit with dumpster detail and rendering for staff's review and approval.
7. Removal of existing chain-link fence along North Central Avenue.
8. The outside storage of vehicles awaiting repair shall not exceed 21 vehicles and will be limited to the designated area as shown on Exhibit D.
9. Outside storage of inoperable vehicles and vehicle parts is prohibited.
10. All conditions must be met prior to establishment of use

**FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT
FOR VEHICLE SALES AND A MOTOR VEHICLE REPAIR SHOP TO INCLUDE
BODY WORK, PAINTING, COMMERCIAL VEHICLE REPAIRS AND**

**OUTDOOR STORAGE FOR 21 VEHICLE WAITING FOR REPAIR OR SERVICING
IN A C-3, GENERAL COMMERCIAL ZONING DISTRICT
LOCATED AT 2112 NORTH CENTRAL 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, 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-3 Districts in which it is located.

ZBA 025-20

Applicant
Ward 4

6727 East Riverside Boulevard

Springfield Sign for DJ Properties, LLC

Variation to increase the number of permitted business identification wall signs from two (2) signs to three (3) signs and a **Variation** to increase the height of the menu board from six (6) feet to six (6) feet three (3) inches in height and a **Variation** to increase the permitted square footage of the menu board from 36 square feet to 38.40 square feet in a C-3, General Commercial Zoning District

Prior to the meeting, a request was received from the Applicant requesting that this item be laid over to the December 15, 2020 meeting.

A **MOTION** was made by Craig Sockwell to **LAYOVER** a Variation to increase the number of permitted business identification wall signs from two (2) signs to three (3) signs and a Variation to increase the height of the menu board from six (6) feet to six (6) feet three (3) inches in height and a Variation to increase the permitted square footage of the menu board from 36 square feet to 38.40 square feet in a C-3, General Commercial Zoning District The motion was **SECONDED** by Tom Fabiano and **CARRIED** by a vote of 7-0.

Vote on 2021 Zoning Board of Appeals Calendar

A **MOTION** was made by Jennifer Smith to **APPROVE** the 2021 Zoning Board of Appeals Calendar. The **MOTION** was **SECONDED** by Craig Sockwell and carried by a vote of 7-0.

With no further business to come before the Board, the meeting was adjourned at 5:55 PM.

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