



**ZONING BOARD OF APPEALS**  
**Wednesday, February 17, 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  
Kimberly Wheeler-Johnsen  
Melissa Luciani-Beckford  
Dan Roszkowski  
Craig Sockwell

**Absent:** Scott Sanders  
Tom Fabiano

**Staff:** Todd Cagnoni - Director of Community & Economic Development  
Scott Capovilla – Zoning and Land Use Administrator  
Sandra Hawthorne - Administrative Assistant  
Marcy Leach - Public Works  
Angela Hammer - Assistant City Attorney  
Lafakeria Vaughn - Assistant City Attorney  
Tim Morris - Fire Department

**Others:** Ald. Joseph Chiarelli  
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 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, February 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 5:30 PM. A **MOTION** was made by Alicia Neubauer to **APPROVE** the minutes of the January 2016 meeting as presented. The Motion was **SECONDED** by Melissa Beckford and **CARRIED** by a vote of 4-0 with Scott Sanders, Craig Sockwell and Tom Fabiano absent.

Because one of the applicants were waiting for additional people to arrive, as well as one additional Board member, the items were heard out of order. This is reflected in the vote count after each item.

**ZBA 001-16**  
Applicant  
Ward 14

**3410 and 3442 North Publishers Drive**

Red Dot Storage 1, LLC

**Special Use Permit** for outdoor storage of vehicles, equipment, boats and RV's in an I-1, Light Industrial Zoning District.

The subject property is located 290 feet north of the Sandy Hollow Road and North Publishers Drive intersection and is within a mixture of commercial and industrial uses. Ian Linnabary, Attorney representing the Applicant, reviewed their request for Special Use Permit. They wish to allow outdoor storage on both lots. Currently, Red Dot Storage has two other businesses in Rockford and one in Machesney Park. One of the Rockford business is immediately south of the two lots included with this application. Four buildings will be constructed - two will be for indoor storage and two to the North will be for outdoor storage. The Applicant will consolidate these two lots into one prior to construction.

Attorney Linnabary stated an outdoor storage facility of this nature will be beneficial to people who have RV's and boats as the Ordinance does not allow these items to be kept on property in residential areas. It will allow these vehicles to be stored in a safe place where access is readily available. Regarding Staff's request that the buildings have 3 sides rather than 2, Attorney Linnabary explained this causes considerable maintenance expense because of their customers sometimes back into the structure that is not open, causing damage to the building. They are willing to comply with this request if required, but from a maintenance standpoint it is more beneficial to have a covered structure only for easy and safe access. He further explained the main purpose of storage is to keep the campers, boats, etc. out of the sun which would be provided with just a canopy structure. Attorney Linnabary stated his client would be open to adding additional landscaping if this were the case.

Staff Recommendation is for Approval with (15) conditions. No Objectors or Interested Parties were present.

Discussion was held on additional landscaping in the area across from Publishers Drive. The Board agreed to expand upon condition (5) to include that a landscaping plan be submitted for Staff review and approval.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the Special Use Permit for outdoor storage of vehicles, equipment, boats and RV's in an I-1, Light Industrial Zoning District at 3410 and 3442 North Publishers Drive with revised condition (5). The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a Final Agreement for Staff review and approval that addresses the business operation and improvements to the site.
3. Submittal of a Building Permit for Staff review and approval.
4. Must submit building elevations for Staff review and approval. Must develop site in accordance with Exhibit D.
5. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval to include landscape screening to the north, west and east ends of the property.
6. Must develop site in accordance with the landscaping plan approved by Staff.
7. Submittal of a Parking Lot Permit for Staff's review and approval.
8. Submittal of a Grading Permit for Staff's review and approval.
9. The site shall comply with the Stormwater Management Ordinance and the Stormwater Technical Guide.
10. Submittal of a photometric plan with fixture details and fixture specifications for Staff's review and approval.
11. Must obtain separate permits for signage and sign must be constructed to match building design and in accordance with plans approved by staff.
12. No outside storage of any auto parts, equipment, materials or inoperable vehicles.
13. The outside storage will be limited to vehicles, equipment, boats and RV's.
14. All conditions must be met prior to establishment of use.

**ZBA 001-16**  
**Findings of Fact for Approval of a Special Use Permit**  
**For Outdoor Storage of Vehicles, Equipment, Boats and RV's**  
**In a I-1, Light Industrial Zoning District Located at**  
**3410 and 3442 North Publishers Drive**

**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 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 002-16

Applicant  
W/B Ward 04

**79XX & 82XX E. Riverside Blvd; 8055, 8460, 84XX & 88XX Spring Brook Road; 8460, 84XX and 8510 Spring Brook Road**

Atty. Bruce Ross-Shannon for Rockford Memorial Hospital/James Evans  
**Zoning Map Amendment** from County AG to C-3, General Commercial Zoning District

**Special Use Permit for Planned Unit Development** consisting of a hospital and related ancillary uses

**Variation** to reduce the minimum automobile parking ratio to that as shown on the Plat in a C-3, General Commercial Zoning District

The City and Applicant are completing an annexation agreement to annex the subject property. Per Staff Report, this agreement has not been finalized but will include terms on the future road alignment, public utilities including location of a future water tower, fire and ambulance service, land uses including prohibited uses and a designated area outside of the hospital campus for future commercial development.

Attorney Bruce Ross-Shannon, Dan Parod (Sr. VP Chief Operating Officer of Rockford Memorial Hospital A/K/A RMH) and Dan Kasten from Fehr-Graham were present. Attorney Ross-Shannon reviewed the request for Map Amendment for 260 acres for a new RMH campus, ancillary uses and commercial development. He explained this property is located North of Riverside, West of the I-90 Tollway and bordered on the South by Spring Brook Road and Paulson Road on the East. This first phase of development is for a new hospital. Ancillary uses and commercial / retail development will occur over a number of years. Attorney Ross-Shannon felt this development fits in well with the location. He further explained that the Annexation agreement will address many commercial uses that will not be allowed in this area, even though they would be allowed under the C-3 Zoning District such as storage facilities, tattoo parlors, and other uses that they feel would not fit well within their development.

Dan Parod provided a brief overview of the plan. He explained that RMH has owned this property for approximately 20 years. This is a \$485 million proposal. He feels this area allows for easy access from the Northern Illinois region. Phase one consists of two main components: one is an 188 bed hospital divided into two sections: for women and children including prenatal care; and for and an adult critical care hospital as well. The plans are to create housing for about 50-60 physicians, a full compliment of diagnostic services and their hope is to have a Ronald McDonald House on site to provide parents a place to stay while their child is receiving care. Mr. Parod stated RMH is the largest provider of Public Aid care in the area. He estimates 1,500 jobs will be created. This is a three year major construction project resulting in 400 new healthcare jobs. They are also anticipating approximately \$30 million dollars of new health care business from the Northern Illinois Wisconsin area alone.

Dan Roszkowski asked about future hospital development as labeled on their site plan. This this is to provide an area to replace or add to the campus on site as they progress. Attorney Ross-Shannon stated there will be at least 20 acres for retail, but this will be determined by future market demands.

Staff recommendation is for Approval with (8) conditions. Objectors or Interested Parties were present.

Robert Shumway was present with concerns. His concern was with the unknown 200 plus commercial acres. He stated he is in agreement with the hospital use but feels zoning the AG property as commercial is premature at this point.

John Myers stated he also has concerns. He has a small rescue farm for animals that is about 100 years old and he would like to not see commercial in their area because they wish to maintain their animals. His is the only property north of Spring Brook that RMH does not own. Mr. Myers was made aware that his property is not included or affected in this change - the current use of his property could continue should it ever be annexed into City as long as the use was not discontinued. He also stated he is not in objection to the hospital use.

Attorney Ross-Shannon stated this will be an on-going relationship between the hospital and the City for future development. He felt Mr. Myers or Mr. Shumway's area would not be developed for many years,

but the entire property RMH owns needs to be annexed at the same time. Mr. Capovilla clarified that the Special Use Permit will dictate how the property will develop. If RMH deviates from the use allowed by the Special Use Permit in the future, they will need to come back before the Board for approval.

A **MOTION** was made by Kim Johnsen to **APPROVE** the Zoning Map Amendment from County AG to C-3, General Commercial Zoning District and to **APPROVE** the Special Use Permit for Planned Unit Development consisting of a hospital and related ancillary uses, and to **APPROVE** the Variation to reduce the minimum automobile parking ratio to that as shown on the Plat in a C-3, General Commercial Zoning District at 79XX & 82XX E. Riverside Boulevard; 8055, 8460m 84XX and 88XX Spring Brook Road; 8460, 84XX and 8510 Spring Brook Road. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Approval is subject to the following conditions:

1. Approval and adoption of the Annexation Agreement.
2. Development according to the terms of the Annexation Agreement.
3. That the development follows the procedure and requirements of the subdivision ordinance including the submittal of the Preliminary Drainage Study and a Traffic Impact Analysis for the Traffic Engineer's review and approval.
4. Submittal of a revised Tentative PUD plat for review and approval.
5. That the development shall conform to the area, lot width, yard, height, landscaping, bulk and character standards of the C-3 District except for parking for the hospital campus east of Interstate Road as requested and approved as part of this request.
6. That the installation and maintenance inclusive of irrigation of the landscape medians within the public right-of-ways within the development shall be the responsibility of the property owner.
7. A Final PUD Plat must be submitted for review and approval in accordance to the provisions of the zoning ordinance inclusive of City Council approval prior to construction for each phase of development.
8. Compliance with all Building and Fire Codes.

**Findings of Fact for Approval of a Zoning Map Amendment  
From County AG to City C-3, General Commercial Zoning District at  
79XX & 82XX East Riverside Boulevard; 8055, 8460, 84XX, 88XX and 8510 Spring Brook Road**

**Approval** of this Zoning Map Amendment is based upon the following findings:

1. The proposed Zoning Map change is consistent with Article II, Intent and Purpose, of the Rockford Zoning Ordinance for the following reasons:
  - a. This proposal promotes the health, safety, comfort, convenience, morals and general welfare for the citizens of Rockford because it is consistent with the comprehensive plan and surrounding uses;
  - b. This proposal protects the character, scale and stability of the adjacent residential and commercial because the proposed development will meet all development requirements of this site; and
  - c. The proposed map amendment would allow for a reasonable development to take place consistent with the surrounding neighborhood
2. The proposed Zoning Map Amendment is consistent with the approved general plan, the Year 2020 Plan, for the area. The 2020 Plan designates this property as C-CR, T-C-CO, RM-CO Retail Commercial, Technology, Office and Medium Density Residential.

**ZBA 002-16**  
**Findings of Fact for Approval of a Special Use Permit**  
**For a Planned Unit Development Consisting of a Hospital and Related Ancillary Uses**  
**In a C-3, General Commercial Zoning District at**  
**79XX & 82XX East Riverside Boulevard; 8055, 8460, 84XX, 88XX and 8510 Spring Brook 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 C-3 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 C-3 Zoning District in which it is located.

**ZBA 002-16**  
**Findings of Fact for Approval of a Variation**  
**To Reduce the Minimum Automobile Parking Ratio To that Show on the Plat**  
**In a C-3, General Commercial Zoning District at**  
**79XX & 82XX East Riverside Boulevard; 8055, 8460, 84XX, 88XX and 8510 Spring Brook Road**

**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.

**ZBA 003-16**

Applicant  
Ward 05

**349 Quaker Road**

N-Trak Group, LLC / Danielle Schlichting

**Special Use Permit** for crushing concrete, asphalt, or other aggregate material into IDOT approved recycled aggregate in an I-2, General Industrial Zoning District

The subject property is located on the south side of Quaker Road, west of Seminary Street and north of Harrison Avenue in a neighborhood that is a mixture of commercial and industrial uses. Danielle Schlichting reviewed her request for Special Use Permit. She currently has a business in operation in Loves Park and this Application is for an additional site. Ms. Schlichting stated they will be installing a berm around the site and would also plant trees on top of the berm as well.

Dan Roszkowski asked how tall the berm would be to which Ms. Schlichting responded 11 feet. There were no further questions from the Board.

Staff Recommendation is for Approval with (7) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Melissa Beckford to **APPROVE** the Special Use Permit for crushing concrete, asphalt, or other aggregate material into IDOT approved recycled aggregate in an I-2, General Industrial Zoning District at 349 Quaker Road. The Motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

Approval is subject to the following conditions:

1. Meet all Fire Codes.
2. Submittal of a detailed site plan for Staff review and approval.
3. Submittal of detailed landscape plan to include the type of species to be planted for Staff's review and approval.
4. The outside storage will be limited to concrete, asphalt, or other aggregated material that will be crushed into IDOT approved recycled aggregate.
5. Must obtain separate permits for signage and signage must be in compliance with Zoning Ordinance and be approved by Staff.
6. Must develop site in accordance with revised civil and landscaping plans approved by Staff.
7. All conditions must be met prior to establishment of use.

**ZBA 003-16**  
**Findings of Fact for Approval of a Special Use Permit**  
**For Crushing Concrete, Asphalt or Other Aggregate Material**  
**Into IDOT Approved Recycled Aggregate**  
**In an I-2, General Industrial Zoning District at**  
**349 Quaker 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 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 Zoning District in which it is located.

**ZBA 004-16**

Applicant  
Ward 12

**2811 Country Club Terrace**

Peter Provenzano

**Variation** to decrease the required front yard setback along Country Club Terrace from thirty (30) feet to five (5) feet for an attached garage addition

**Variation** to decrease the required side yard setback along the north property line from six (6) feet to five (5) feet for an attached garage addition

**Variation** to increase the Maximum Impervious Surface Ratio from the required 40% to 53% for an attached garage addition in an RE, Rural Estate Zoning District and a R-1, Single-family Residential Zoning District

Mark Robinson, representing the Applicant, reviewed the requests for Variations. Mr. Robinson stated the Applicant wishes to expand their garage and a living space to accommodate their children. He explained this property is heavily landscaped all around the house and the Applicant plans to add landscaping to the northwest corner of the property where the garage addition is planned. The circular front drive is on a cul de sac with a combination of three different lots forming acute angle corners.

Alicia Neubauer stated she did not see a landscaping plan submitted by the Applicant and asked if this is being developed. Mr. Robinson stated they intend to preserve as many of the existing trees as possible. Mr. Robinson stated there is a circle drive on this property. The architect will finalize a landscaping plan. Dan Roszkowski asked if there had been any questions with neighbors to the NW? Mr. Robinson replied that the Provenzanos have had discussions with those neighbors but he was not privy to the result. Ms. Neubauer asked if Staff was comfortable without a landscaping plan. Mr. Capovilla stated they were.

Staff Recommendation is for Approval of all requests with (3) conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Alicia Neubauer to **APPROVE** the Variation to decrease the required front yard setback along Country Club Terrace from thirty (30) feet to five (5) feet for an attached garage addition; to **APPROVE** the Variation to decrease the required side yard setback along the north property line from six (6) feet to five (5) feet for an attached garage addition; and to **APPROVE** the Variation to increase the Maximum Impervious Surface Ratio from the required 40% to 53% for an attached garage addition in an RE, Rural Estate Zoning District and a R-1, Single-family Residential Zoning District at 2811 Country Club Terrace. The Motion was **SECONDED** by Melissa Beckford 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 Building Permit for Staff review and approval prior to construction.
3. Must develop the site and garage addition in accordance with Exhibit D approved by Staff.

**ZBA 004-16**  
**Findings of Fact for Approval of a Variation**  
**To Decrease the Required Front Yard Setback Along Country Club Terrace**  
**From Thirty (30) Feet to Five (5) Feet**  
**For an Attached Garage Addition**  
**In a RE, Rural Estate Zoning District and**  
**R-1 Single-Family Residential Zoning District at**  
**2811 Country Club Terrace**

**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.

**ZBA 004-16**  
**Findings of Fact for Approval of a Variation**  
**To Decrease the Required Side Yard Setback Along The North Property Line**  
**From Six (6) Feet to Five (5) Feet**  
**For an Attached Garage Addition**  
**In a RE, Rural Estate Zoning District and**  
**R-1 Single-Family Residential Zoning District at**  
**2811 Country Club Terrace**

**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.

**ZBA 004-16**  
**Findings of Fact for Approval of a Variation**  
**To Increase the Maximum Impervious Surface Ratio From**  
**The Required 40% to 53% For an Attached Garage Addition**  
**In a RE, Rural Estate Zoning District and**  
**R-1 Single-Family Residential Zoning District at**  
**2811 Country Club Terrace**

**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.

**ZBA 005-16**  
Applicant

**Text Amendments**

City of Rockford

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|-----------|--|
| 20-007-C. | DRIVEWAY WIDTHS  |
| 21-005-G. | SETBACK STANDARDS FOR CORNER LOTS                                      |
| 30-004    | MANDATORY PLANNED UNIT DEVELOPMENTS                                    |
| 50-001-A. | NEW DEVELOPMENT  |
| 50-003-F. | OFF-STREET PARKING SCHEDULE: ALL ZONING DISTRICTS                      |
| 51-002    | SIGNS NOT PERMITTED  |
| 51-004    | REGULATIONS FOR PERMANENT SIGNS, INCLUDING BUSINESS SIGNS (ON PREMISE) |
| 52-001-C. | STREET TERRACE OR PARKWAY PLANTING                                     |
| 55-001-A. | REQUIRED FENCING OF DUMPSTERS  |
| 55-001-C. | FENCE HEIGHT IN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS            |
| 55-001-D. | FENCE HEIGHT IN INDUSTRIAL DISTRICTS                                   |
| 71-003    | VIOLATION PENALTIES  |
| 91-089    | PARKING LOT MAINTENANCE  |
| 91-130    | SIGN, LANDMARK STYLE: (ALSO "LOW PROFILE SIGN")                        |

Craig Sockwell joined the meeting at 6:10 PM.

Scott Capovilla, Zoning & Land Use Administrator, reviewed the request before the Board. Throughout the past few years since the adoption of the current zoning Ordinance, there were things brought to Staff's attention by outside input and internally discussed that require further clarification. These proposed amendments should address these concerns and possible loopholes. Staff feels by bringing these all before the board at the same time questions could be asked on specific item.

Kim Johnsen asked for the change in off street parking schedule from 1.5 to 2. Mr. Capovilla responded that there was concern there were not enough parking spaces in many areas and raising the requirement from 1.5 to 2 would create more parking spaces. Kim Johnsen was concerned that this would create a burden on developers by their having to allow for a larger parking area. Alicia Neubauer stated she was confused because there was previous discussion to reduce parking and now the amendment feels it

should be increased. Mr. Capovilla explained the clarification between Commercial and Residential districts and also stated this does not apply to the C-4 District where there are no parking requirements.

Regarding mandatory planned development thresholds, Kim Johnson asked if this impacted the amount of time and projects that Staff was required to review. Mr. Capovilla deferred to Todd Cagnoni, Director of Community and Economic Development Department. Mr. Cagnoni summarized the changes in parking as related to townhomes. On a residential side, predominately the parking requirements remained the same as they were in 1993 with the exception of town homes. Prior to 2008 there were no townhome provisions in the Ordinance. He further discussed parking requirements in other zoning districts.

Alicia Neubauer asked what the definition of "repaving" was in relationship to a parking lot. Mr. Capovilla responded this was defined as going over the top of existing bituminous surface, just adding an inch and a half on top of it. If the top was milled, this would be considered reconstruction. There is a provision to allow a certain amount of patching for maintenance purposes. Mr. Cagnoni stated the intent of this text amendment was to align the requirements of a permit with the existing storm water ordinance.

A **MOTION** was made by Kim Johnsen to **APPROVE** all Text Amendments as presented. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 5-0.

Amendments are as follows:

- 20-007-C. DRIVEWAY WIDTHS
- 21-005-G. SETBACK STANDARDS FOR CORNER LOTS
- 30-004 MANDATORY PLANNED UNIT DEVELOPMENTS
- 50-001-A. NEW DEVELOPMENT
- 50-003-F. OFF-STREET PARKING SCHEDULE: ALL ZONING DISTRICTS
- 51-002 SIGNS NOT PERMITTED
- 51-004 REGULATIONS FOR PERMANENT SIGNS, INCLUDING BUSINESS SIGNS (ON PREMISE)
- 52-001-C. STREET TERRACE OR PARKWAY PLANTING
- 55-001-A. REQUIRED FENCING OF DUMPSTERS
- 55-001-C. FENCE HEIGHT IN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS
- 55-001-D. FENCE HEIGHT IN INDUSTRIAL DISTRICTS
- 71-003 VIOLATION PENALTIES
- 91-089 PARKING LOT MAINTENANCE
- 91-130 SIGN, LANDMARK STYLE: (ALSO "LOW PROFILE SIGN")

With no further business to report, the meeting was adjourned at 7:00 PM

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