

Zoning Board Of Appeals
Village of Roscoe
10631 Main Street
Roscoe, Illinois 61073
Zoning Board of Appeals Minutes
Wednesday June 9, 2021
5:30 PM

METING TO BE CONDUCTED IN-PERSON AT VILLAGE HALL
10631 MAIN STREET

MINUTES

1. CALL TO ORDER

2. ROLL CALL

In Person: Chairman Durstock, Ryan Swanson, MelissaSmith, GeorgeWagaman, Michael Prosser, Brad Hoglund
Absent: Laura Baluch

3. Approval of May 12, 2021 ZBA Minutes

Chairman Durstock entertained a **motion to approve minute**,
Swanson made a **motion to approve**;
Seconded by Wagaman
Voting Aye: Swanson, Smith, Hoglund, Wagaman, Durstock
Abstain: Prosser
Motion Passed: 5-0-1-1

4. ZBA 21-010: Design Review for Approval of a Chicken Coop in the R1 (Single-Family Residential) District for property commonly known as 4760 Terragon CT (PIN: 04-32-352-014)

Chairman Durstock called upon applicant Javier Arellano, 470 Terragon Ct (Chicory Ridge Subdivision). Applicant Arellano summarized his request to the board that he is seeking approval for construction of a chicken coop with the approximate size of 24 SQ FT with an enclosed run. It was verified that the applicant is registered with the department of agriculture and submitted his registration. The coop would be located along the south west corner of the house. Prosser questioned the intent, and design with questions regarding how far away from the property line as well as the nearest resident. It was confirmed this was within the Village ordinance.

Chairman Durstock entertained a **motion to approve**,
Prosser made a **motion to approve**;
Seconded by Wagaman
Voting Aye: Swanson, Smith, Hoglund, Wagaman, Durstock, Prosser
Motion Passed: 6-0-0-1

5. ZBA 21-011: Public Hearing for Approval of a Variance to the adopted parking lot design standards, waving the requirement for curb and gutter in the IL (Light Industrial) District for property commonly known as 5350 Edith Lane (PIN: 04-28-327-002)

Chairman Durstock opened Public Hearing for the applicant for 5350 Edith Lane, and the applicant was not present. Applicant for 5397 Edith Lane (Dan Kitto) stated that he is doing the same thing, and that he is not sure why the applicant is not present. Attorney Kurlinkas summarized the both requests stating this was a group of businesses located on Edith Lane requesting variance for parking standards. The board had previously already approved one applicant. This request is for approval of a Variance to current parking lot design standards, specifically waving the requirements for curb and gutter. The parcel is zoned IL (Light Industrial) and is part of a Light Industrial cluster development along Edith lane.

Chairman Durstock closed the public hearing;

Chairman Durstock entertained a **motion to approve,**

Prosser made a **motion to approve;**

Seconded by Swanson

Voting Aye: Smith, Prosser, Hogland, Durstock, Swanson and Wagaman

Motion Passed: 6-0-0-1

6. ZBA 21-012: Public Hearing for Approval of a Variance to the adopted parking lot design standards, waving the requirement for curb and gutter in the IL (Light Industrial) District for property commonly known as 5397 Edith Lane (PIN: 04-28-326-013)

Chairman Durstock opened Public Hearing for the applicant for 5397 Edith Lane (Dan Kitto) stated that he is doing the same thing, and that he is not sure why the applicant is not present. Attorney Kurlinkas summarized the both requests stating this was a group of businesses located on Edith Lane requesting variance for parking standards. The board had previously already approved one applicant. This request is for approval of a Variance to current parking lot design standards, specifically waving the requirements for curb and gutter. The parcel is zoned IL (Light Industrial) and is part of a Light Industrial cluster development along Edith lane. Basically same request

Chairman Durstock closed the public hearing;

Chairman Durstock entertained a **motion to approve,**

Prosser made a **motion to approve;**

Seconded by Swanson

Voting Aye: Swanson, Hoglund, Prosser, Durstock, Wagaman and Smith

Motion Passed: 6-0-0-1

7. ZBA 21-013: Public Hearing for Approval of a Map Amendment to change from the CR District (Commercial Retail) to the R1 District (Single-Family Residential) at a property commonly known as 11345 2nd Street (PIN 04-33-226-006).

Chairman Durstock opened a public hearing calling for applicant Don Hale, of 11345 2nd Street, Mr. Hale stated he currently lives at the address and is looking to sell the property. His realtor stated he would be better to change to residential to sell. Attorney Kurlinkas summarized his request for a Map Amendment (change of zoning) for a property they own at 11345 2nd Street. Attorney Kurlinkas summarized that the property had been brought into the Village in the UT (Urban Transition) district, and was rezoned through a Map Amendment process in January of 2000. The previous change was intended to extend the commercial zoning districts that are contiguous to the North up to Elevator Road. The applicant has not had any interest expressed in commercial development of the property, and is requesting a new change in zoning, bringing the parcel back into the residential classification. The applicant owns the adjacent parcel to the south (11325 2nd) and had a similar Map Amendment approved in September of 2018 to rezone the property back to a residential use.

Chairman Durstock closed the public hearing;

Prosser stated it would make sense to change to residential since it is surrounded by residential. Chairman Durstock agreed.

Chairman Durstock entertained a **motion to approve,**

Prosser made a **motion to approve;**

Seconded by Smith

Voting Aye: Wagaman, Smith, Swanson, Hogland, Durstock and Prosser

Motion Passed: 6-0-0-1

8. ZBA 21-014: Public Hearing for Approval of a Variance to increase the width of a driveway as measured at the right-of-way from 24'-0" to 30'-0" in the R1 (Single Family Residential) District at a property commonly known as 961 Brandy Bend Lane (PIN 08-06-152-002). Chairman Durstock opened the public hearing; Applicant Matthew Carmack of 961 Brandy Bend Rd (Hawks Point Subdivision) summarized his request for approval of variance to make the driveway wider. He started the project last October, and he wants to keep his cars off the road. He stated that he was previously approved, but waited on doing the work and now the ordinances changed. Therefore he would like to request a further variance to give him more parking to keep cars off the street. Attorney Kurlinkas called on Brandon to address; Brandon Boggs, Village Engineer, was sworn in by Chairman Durstock. He stated this request is for approval of a Variance to current driveway design and construction standards, increasing the allowable width at the public right-of-way from 24'-0" to 30'-0". The applicant has stated a desire to increase the width of the driveway at their single-family residence to be able to accommodate storage of additional vehicles. Recently adopted ordinance in March provides for a maximum driveway width of 24'-0" as measured at the public right-of-way (property line). Driveways may have a total of 5'-0" width of additional 'flares' at the actual road edge to accommodate turning movements. Residents are allowed to expand the driveway width beyond the right-of-way line as long as they comply with the 3'-0" pavement setback requirement from side and rear property lines. This ordinance was created to minimize the expansive stretches of pavement, and to maximize green space in the parkways. Chairman Durstock asked if any of the work had been done, and the applicant answered no. Chairman Durstock asked if doing it

off the public right of way would be sufficient for parking. Applicants want bigger since he has parties and a large family. Wagaman asked why it hadn't been started, and why he wanted it bigger. Prosser read the request and wanted to know what the current driveway was, the applicant stated it was 18 ft. Swanson asked if he had a two car garage, applicant stated yes and Swanson stated why he can't follow the ordinance as the limits to the garage. Boggs stated that the old ordinance allowed parking in front of houses, but the new ordinance must go the opposite direction. Applicant wants to do the extension in front of the house, Smith asked why would you do that to your front yard? Applicant stated that he has an electrical transformer on the other side. Swanson asked if we are looking at two issues, the widening and the front. Applicant wants to keep the original permit/variance in front of the house. Swanson stated that he has a 24 ft and can park 6, and doesn't understand why he needs that much of a driveway. Smith wanted to know if the applicant could do a stamped concrete or sidewalk and it would look better. Prosser stated that the blacktop in front of the yard would be an eyesore. Chairman Durstock asked what the current size was, and the applicant answered 18ft. Swanson stated there should be 2 variance requests, one to widen and widen the house side. Chairman Durstock as if it was previously approved and work wasn't completed can he still do the work from the old ordinances. Boggs asked Attorney Kurlinkas if it was previously approved from under the old ordinance would it be grandfathered in? Attorney Kurlinkas stated he would need to look into that. Attorney Kurlinkas stated it should be laid over. To make it clear, the board is voting on widening to 30' if denied then can he stick with the old approval of the variance. Attorney Kurlinkas, stated that it should be voted to lay over, as there are no findings to approve this and recommended to deny.

Chairman Durstock closed the public hearing;

Chairman Durstock entertained a **motion to lay over**,

Smith made a **motion to lay over**;

Seconded by Prosser

Voting Aye: Prosser, Durstock, Smith, Wagaman, Swanson and Hoglund

Motion Passed: 6-0-0-1

9. ZBA 21-015: Public Hearing for Approval of a Map Amendment to change from the IL District (Winnebago County Light Industrial) to the IG District (Village of Roscoe, General Industrial) at a property commonly known as 13935 Metric Road (PIN 04-16- 326-003) as part of a petition on file for annexation.

Board Member Swanson excused his participation in the vote for ZBA-015 thru ZBA-018 due to conflict. Chairman Durstock acknowledged.

Chairman Durstock opened a public hearing calling for applicant, Attorney Kurlinkas stated ZBA21-015 - ZBA21-018 are all related: Chairman Durstock sworn in Mr. Lensing and his Attorney Kimes, Attorney Kurlinkas summarized the requests, stating: Mr. Lensing has been in talks with the Village of Roscoe for several months now regarding annexation of his property into the Village. The annexation will pave the way for a proposed 50,000 SF building addition to the existing Historic Auto Attractions museum. Staff has been working with Mr. Lensing's attorney, consulting Engineer (Arc Design Resources) , the Roscoe Township

Highway Commissioner, and the Winnebago County Engineer, and the Reclamation District (RRWRD). All parties have agreed upon an acceptable termination to the north end of Metric Drive, which will result in the construction of a cul-de-sac in conformance with Winnebago County Highway Department standards. As Metric Drive is under the jurisdiction of Roscoe Township, any required public right-of-way will be dedicated to eth Township, and Metric Road in its entirety will remain under their charge. The Reclamation District and Winnebago County Health Department have agreed to allow the building expansion to occur on an expanded septic system, and the entire property will continue to be served by North Park Public Water Supply. Through the Annexation, the Village will agree to grant Special Use Permits for the continued operation and potential expansion of both the self-storage and the auto museum, as well as grant a variance to parking lot design standards for existing vehicle storage areas Evaluation: The requested action is for approval of a Map Amendment, effectively to establish the zoning for the parcel upon execution of the Annexation. Per ordinance, the default zoning would be UT (Urban Transition) but as this is a developed parcel with a continuation of an existing use, staff is of the opinion that maintaining the IG (General Industrial) District is the most appropriate option. Self-storage is allowed only by Special Use Permit, and only in the IG and IH Districts, and the IH District is not a desirable option in this instance. This request for approval of a Special Use Permit is being made in conjunction with and subject to a petition for Annexation on file with the Village of Roscoe and being heard by the Board of Trustees at a subsequent meeting, currently scheduled for June 15, 2021. The 63.76acre parcel is currently zoned IG (General Industrial – Winnebago County) if annexed, will be brought in as IG (General Industrial – Winnebago County) zoning.

Mr. Lensing spoke of his passion for the new addition increasing his space as well as what the Winnebago County was trying to do. He expressed his frustration of the County trying to make his museum look like a mini-mall. Mr. Lensing stated that he has the largest collection of Kennedy and Lincoln. He is very excited about everything he has to fill the extension. Attorney Kimes summarized the request of Mr. Lensing for the annexation into the Village of Roscoe. Mr. Lensing was excited about annexing into the Village of Roscoe, expressed his excitement and passion repeatedly. Mr. Lensing stated that Winnebago County was putting too many restrictions and upgrading when Covid hit, and then Winnebago County wanted his museum to look like a mini mall. Mr. Lensing stated that he wanted to keep the look of his museum.

Chairman Durstock closed the hearing:

Prosser asked the ZBA board if anyone has been to the museum as it is incredible. Wagaman stated that he appreciates the passion of Mr. Lensing.

Chairman Durstock entertained a **motion to approve ZBA-015,**

Prosser made a **motion to approve;**

Seconded by Wagaman

Voting Aye: Prosser, Hoglund, Smith, Wagaman and Durstock

Motion Passed: 5-0-1-1 (Swanson removed himself from vote)

10. ZBA 21-016: Public Hearing for Approval of a Special Use Permit for operation of warehousing in the IG District (General Industrial) at a property commonly known as 13935

Metric Road (PIN 04-16-326-003) as part of a petition on file for annexation.

Chairman Durstock entertained a **motion to approve ZBA-016,**

Prosser made a **motion to approve;**

Seconded by Wagaman

Voting Aye: Prosser, Hogleund, Smith, Wagaman and Durstock

Motion Passed: 5-0-1-1 (Swanson removed himself from vote)

11. ZBA 21-017: Public Hearing for Approval of a Special Use Permit for continued operation of a museum in the IG District (General Industrial) at a property commonly known as 13935 Metric Road (PIN 04-16-326-003) as part of a petition on file for annexation.

Chairman Durstock entertained a **motion to approve ZBA-017,**

Prosser made a **motion to approve;**

Seconded by Wagaman

Voting Aye: Prosser, Hogleund, Smith, Wagaman and Durstock

Motion Passed: 5-0-1-1 (Swanson removed himself from vote)

12. ZBA 21-018: Public Hearing for Approval of a Variance to allow existing vehicle storage areas to remain unpaved. in the IG District (General Industrial) at a property commonly known as 13935 Metric Road (PIN 04-16-326-003) as part of a petition on file for annexation.

Chairman Durstock entertained a **motion to approve ZBA-018,**

Prosser made a **motion to approve;**

Seconded by Wagaman

Voting Aye: Prosser, Hogleund, Smith, Wagaman and Durstock

Motion Passed: 5-0-1-1 (Swanson removed himself from vote)

4. **Old Business**

None

5. **New Business**

None

6. **ADJOURNMENT**

Chairman Durstock entertained a **motion,**

Swanson made a **motion to approve;**

Seconded by Wagaman

Voting Aye: Swanson, Smith, Hogleund, Wagaman, Durstock, Prosser

Motion Passed: 6-0-0

Meeting adjourned at 5:55 pm

APPROVED 5-0-2
JULY 14, 2021
