

**CITY OF BELVIDERE  
PLANNING AND ZONING COMMISSION AGENDA  
Tuesday, December 13, 2022  
City Council Chambers  
401 Whitney Boulevard  
6:00 pm**

**ROLL CALL**

**Members:**

Paul Engelman, CHM  
Daniel Druckrey, VCHM  
Carl Gnewuch  
Robert Cantrell  
Art Hyland  
Alissa Maher  
Brad Anderson

**Staff:**

Gina DelRose, Community Development Planner  
Kim Whitt, Administrative Assistant

**MINUTES:** Approve the minutes of the November 8, 2022 meeting.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS: None.**

**NEW BUSINESS:**

**2022-26: Mendez, 1550 Pearl Street (SU):** Application of Ruth Mendez, 531 Pearl Street, Belvidere, IL 61008 on behalf of the property owner, LHC Properties, LLC, 992 Belvidere Road, Belvidere, IL 61008 for a special use to permit indoor sales or service which includes but is not limited to retail sales of goods and nonprofessional services at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District on approximately 0.50 acres. PIN: 05-36-308-003.

**Staff (Approval); PZC ( ); CC-1 ( ); CC-2 ( )**

**2022-27: Boone County Government, 1204-1212 Logan Avenue (VAR):** Application of property owner, County of Boone, 1212 Logan Avenue, Belvidere, IL 61008 for a variance at 1204-1212 Logan Avenue within the GB, General Business District (Belvidere Zoning Ordinance Table 150.1007(A)(1) Freestanding Signs, Setbacks: 10 feet and Section 150.909 Variance Review). The variance will allow for the required sign setback to be reduced from ten feet to five feet along the southern property line to allow for a freestanding sign to be constructed along Logan Avenue. PIN: 05-36-228-020

**Staff (Approval); PZC ( )**

**OTHER BUSINESS:**

**DISCUSSION:**

**Staff report**

**ADJOURNMENT**

**CITY OF BELVIDERE  
PLANNING AND ZONING COMMISSION**

**Minutes**

**Tuesday, November 8, 2022**

**City Council Chambers**

**401 Whitney Boulevard**

**6:00 pm**

**ROLL CALL**

**Members Present:**

Paul Engelman, Chair

Carl Gnewuch

Alissa Maher

Art Hyland

Brad Anderson

Dan Druckrey Vice-Chair

**Staff Present:**

Gina DelRose, Community Development Planner

Kimberly Whitt, Administrative Assistant

Mike Drella, City Attorney

**Members Absent:**

Bob Cantrell

The meeting was called to order at 6:00 p.m.

**MINUTES:** It was moved and seconded (Maher/Druckrey) to approve the minutes of the October 11, 2022 meeting. The motion carried with a 6-0 roll call vote.

**PUBLIC COMMENT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**2022-25: Full Circle Brewery, LLC, 515 S. State Street (SU):** Application of Full Circle Brewery, LLC, 4825 Raymond Drive, Belvidere, IL 61008 on behalf of the property owner, Full Circle RE, LLC for a special use to permit indoor commercial entertainment which allows for a brewery and bar/tavern at 515 South State Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(6)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the CB, Central Business District on 3,435 square feet. PIN: 05-25-357-039.

**PUBLIC HEARING FOR CASE 2022-25 OPENED : 6:03 PM**

Ms. Gina DelRose was sworn in. Ms. DelRose stated the case was published in the Boone County Journal on October 20, 2022 and notifications were sent by certified mail to property owners within 250 feet of the subject property on October 20, 2022. Ms. DelRose summarized the staff report dated November 1, 2022 and stated the

recommendation is for approval of case #2022-25 for a special use for indoor commercial entertainment at 515 South State Street subject to the following condition:

1. Open alcohol is prohibited outside the premises unless otherwise permitted.
2. Compliance with all other codes and ordinances.

Mr. Ryan Morris was sworn in. Mr. Morris explained the phases they plan for the micro brewery. 1) Beer only (90 gal) 2) Larger equipment 3) Incorporate food. For future expansion, the upstairs apartments is a possibility. The front entrance will be ADA compliant.

There was discussion on potential growth and their expected time line. The applicants plan to open by May/June 2023.

No questions or comments for the staff or applicant from the audience.

#### **PUBLIC HEARING FOR CASE 2022-25 CLOSED : 6:20 PM**

It was moved and seconded to (Gnewuch/Maher) to approve the findings of fact as presented by staff. The motion carried with a 6-0 roll call vote.

It was moved and seconded (Maher/Gnewuch) to recommend approval of Case 2022-25 subject to the conditions presented by staff. The motion carried with a 6-0 roll call vote.

Gina DelRose stated the case would go to City Council on November 21, 2022 and on December 5, 2022 for a second reading and final vote.

**Staff Report:** Gina DelRose informed the commission there will be 2 to 4 new cases for the December 13<sup>th</sup> meeting.

Hometown Christmas is December 2, 2022.

#### **ADJOURNMENT:**

The meeting adjourned at 6:25 p.m.

**Recorded by:**

**Reviewed by:**

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Kimberly Whitt  
Administrative Assistant

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Gina DelRose  
Community Development Planner

**CITY OF BELVIDERE**  
*Community Development*



**BUILDING DEPARTMENT**

**PLANNING DEPARTMENT**

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401 WHITNEY BLVD. SUITE 300 BELVIDERE, IL 61008 \* PH (815)547-7177 FAX (815)547-0789

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December 6, 2022

## **ADVISORY REPORT**

**CASE NO:** 2022-26

**APPLICANT:** Mendez, 1550 Pearl Street

**REQUEST AND LOCATION:**

The applicant, Ruth Mendez, 531 Pearl Street, Belvidere, IL 61008 on behalf of the property owner, LHC Properties, LLC, 992 Belvidere Road, Belvidere, IL 61008 is requesting a special use to permit indoor sales or service which includes but is not limited to retail sales of goods and nonprofessional services at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District on approximately 0.50 acres. The subject property is 24,545 square feet (PIN: 05-36-308-003) and developed with a vacant office building and parking area.

**EXISTING LAND USE:**

Subject property: Vacant office building

Adjacent Property

**North, East and West:** Residential

**South:** Parking lot and Residential

**CURRENT ZONING:**

Subject property: NO, Neighborhood Office District

All Adjacent Property: SR-6, Single-family Residential-6 District

**COMPREHENSIVE PLAN:**

Subject property: Institutional

All Adjacent Property: Single Family Residential

**BACKGROUND:**

In 1989 a special use was granted for the property to allow the continuation of a nonconforming use (offices) within a residential zoning district. In 1993, the property owner applied for and was approved for a zoning change from residential to C-1, Office/Residential District. This request was to help bring the building and business operations into full compliance with the City's zoning ordinance. Records show that the Secretary of State's Vehicle Services occupied the building as early as 1982.

In 2006 with the adoption of the new zoning code, the property was zoned Neighborhood Office. This zoning district is for low intensity development, suitable for residential areas much like the

C-1 Office/Residential District. The Neighborhood Office District is intended to permit high-quality office land uses at an intensity compatible with the older residential portions of the city. The district is used to provide for the permanent protection of an area, which preserves the original residential appearance, yet permits office land uses, and which ensures that the neighborhood character is maintained. Restrictions placed on businesses within the NO District are residential architecture, increased landscaping and business hours limited from 6:00am to 11:00pm. Signage is also limited compared to other business districts.

In 2017, a special use was applied for to operate a bar with video gaming. That request was ultimately denied by the City Council. In 2019, a special use was applied for to operate a banquet facility that would include video gaming during events. That request was approved by the City Council, however, the business never opened and the special use expired.

The applicant is requesting a special use for indoor sales or services so that they may sell a variety of items such as candy, textiles, clothing, artwork, etc. The applicant also intends to offer art and dance classes to the public. The indoor sales or service land use includes retail or wholesale sales or rental merchandise or equipment, non-personal or non-professional services entirely within an enclosed building. Art and dance studios are considered personal or professional services which is a permitted land use in the neighborhood office district.

The Neighborhood Office Zoning District only permits businesses to operate until 11:00pm which is not as late as typical indoor sales or service land uses; however, it is later than the majority of businesses that have been located on the property throughout the years. Conditions of approval which serve to lessen the potential negative impacts of activities occurring on the property will be placed on the request. The property will also need to be brought into compliance with applicable building and fire codes such as emergency lights, fire extinguishers, CO detectors, smoke detectors, exit signs, etc.

**TREND OF DEVELOPMENT:**

The subject property is located along Pearl Street which is predominantly residential. There are institutional land uses near the downtown area and commercial land uses near the intersection of Pearl Street and Grant Highway.

**COMPREHENSIVE PLAN:**

The subject property is designated as "Institutional" on the City of Belvidere Comprehensive Plan, adopted July 19, 1999. The institutional category encourages large-scale public buildings, hospitals and special-care facilities. Small institutional uses may be permitted in other land use categories.

**FINDINGS OF FACT:**

Per Section 150.904 (G) of the City of Belvidere Zoning Ordinance, the criteria for granting a Special Use Permit are as follows:

- A. **Findings: The establishment, maintenance, or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The property has been vacant since 2015. However, the previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. The SOS, however, closed at 5:00pm and was not open on the weekends. Retail businesses can be busier later in the day and on weekends. In order to minimize

potential nuisances such as headlights at night, a privacy fence will be required to help shield adjacent properties from lights and noise.

- B. Findings: The proposed special use, both its general use independent of its location and in its specific location, will not be in harmony with the purposes, goals, objectives, policies, and standards of the City of Belvidere Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to Notice of Public Hearing by the City.**

The Comprehensive Plan designates the subject property as Institutional. This designation was most likely chosen due to the long-term occupancy of the Secretary of State's Vehicle Services which is an institutional (government agency) land use. Institutional land uses are civic land uses but can also include recreational facilities, educational facilities, nonprofit clubs and fraternal organizations and community residential land uses. A private retail business is not an institutional land use.

- C. Findings: The special use will not in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to Notice of Public Hearing by the City or governmental agency having jurisdiction to guide development.**

Although the indoor sales or service land use allows for a variety of retail and non-professional services, conditions of approval placed on the request will help to minimize any potential negative impacts to the property.

The subject property is located approximately 315 feet from a hospital, less than 550 feet from properties zoned general business and approximately 700 feet from a large commercial development (Pacemaker Countryside Markets). The building is approximately 3,200 square feet, larger than the residential structures in the neighborhood but small for a stand-alone retail center. The Zoning Ordinance requires a total of 11 parking spaces. The existing paved area is more than adequate to meet this requirement.

- D. Findings: The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property, and does maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.**

The Neighborhood Office District was designed to accommodate offices located within established residential areas. Some residential areas are considered transition areas where more intense commercial land uses are acceptable. The subject property is not within a transition area; however, it is near high density residential and non-residential land uses.

The retail business will cater to the needs of Belvidere residents. The special use will be required to operate within the same parameters as other uses in the Neighborhood Office District in terms of hours of operation.

- E. **Findings:** The proposed special use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvement facilities, utilities or services provided by public agencies servicing the subject property.

The subject property is already developed with a commercial building that is served with municipal utilities.

- F. **Findings:** The potential public benefits of the proposed special use does outweigh any and all potential adverse impacts of the proposed special use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

The retail business will be in conjunction with the art and dance studio, providing goods and services to the community. Hours of operation will not be expanded past those already permitted and conditions of approval will be placed to lessen any negative impacts such as lights and sound.

#### **SUMMARY OF FINDINGS:**

The property has been vacant since 2015. However, the previous long-term tenant was the Secretary of State's Vehicle Services which created a large amount of traffic at times. The SOS, however, closed at 5:00pm and was not open on the weekends. Retail businesses can be busier later in the day and on weekends. In order to minimize potential nuisances such as headlights at night, a privacy fence will be required to help shield adjacent properties from lights and noise.

The subject property is located approximately 315 feet from a hospital, less than 550 feet from properties zoned general business and approximately 700 feet from a large commercial development (Pacemaker Countryside Markets). The building is approximately 3,200 square feet, larger than the residential structures in the neighborhood but small for a stand-alone retail center. The Zoning Ordinance requires a total of 11 parking spaces. The existing paved area is more than adequate to meet this requirement.

The Neighborhood Office District was designed to accommodate offices located within established residential areas. Some residential areas are considered transition areas where more intense commercial land uses are acceptable. The subject property is not within a transition area; however, it is near high density residential and non-residential land uses.


The retail business will be in conjunction with the art and dance studio, providing goods and services to the community. Hours of operation will not be expanded past those already permitted and conditions of approval will be placed to lessen any negative impacts such as lights and sound.

#### **RECOMMENDATION:**

The planning staff recommends the **approval** of case number **2022-26** for a special use for indoor sales or service at 1550 Pearl Street subject to the following conditions.

1. The hours of operation shall be limited to 11:00pm.
2. The privacy fence shall not inhibit safe sight distance for motorists entering and leaving the property.
3. The parking lot shall be re-stripped in substantial compliance with the Belvidere Zoning Ordinance.
4. Parking lot light fixtures shall adhere to residential requirements and not exceed 25 feet in height.

**Submitted by:**

  
Gina DelRose  
Community Development Planner

**Review and Recommendation by the Planning and Zoning Commission.** The Planning and Zoning Commission shall review the application, adopt findings of fact, and make a recommendation to the City Council.

**Review and Action by the City Council.** The City Council shall consider the Planning and Zoning Commission's recommendation regarding the proposed special use. The City Council may approve or deny the special use as originally proposed, may approve the proposed special use with modifications or may remand the matter back to the Planning and Zoning Commission for further discussion or hearing. The City Council's approval of the requested special use shall be considered the approval of a unique request, and shall not be construed as precedent for any other proposed special use.



**ATTACHMENTS**

1. Location Map by Planning Staff.
2. Aerial Photo with by Planning Staff.
3. Narrative submitted by Applicant.
4. Site plan submitted by Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Teagan Duffy, November 10, 2022.
6. Letter submitted by the Boone County Health Department, Amanda Mehl, November 21, 2022.





PEARL ST

W 9th ST

2022-26 SU  
Ruth Mendez  
1550 Pearl St

PEARL ST

W

We are going to use the local 1550 Pearl St in Belvidere IL  
for commercial purposes and free cultural classes for  
the community, more detail below:

Sale of :- Candys,  
- Mexican Art Crafts,  
- Pottery  
- Decorations  
- Gifts

Free classes :- Folklore Dance classes .  
For the Community - Hand Paint  
- Made Decoration: Pinatas, Paper Flowers  
Catrinas and More.

Applicant: Ruth Mendez

West Service

shelves

will be close to public  
Bussing table

How many  
Sales in  
Activity Room

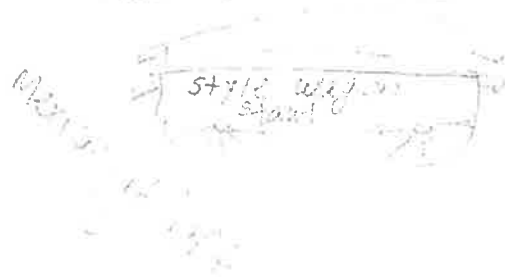
shelves

shelves

Open  
Door

shelves 4  
shelves 4

shelves



Mexican  
Side

Cups and saucers

Mexican  
Side

counter and register

PT  
ST  
ST

Candy  
Side

Candy  
Side

Register  
Table

Hand  
Kettles

Candy  
Table  
Candy side



windows

windows

← Principal  
Camp



**Boone County**  
**Soil & Water**  
**Conservation District**

211. N. Appleton Road  
 Belvidere, IL 61008  
 815-544-3465 x3

10 November 2022

**SWCD NRI #: 1715**

Belvidere Planning Department  
 401 Whitney Blvd., Suite 300  
 Belvidere, IL 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted. We will supply a written reply to your office as indicated below:

- X Our review does not apply in this instance.
- \_\_\_\_\_ Other (see attached)

**Location of Site:** 1550 Pearl St. Belvidere, IL 61008  
**PIN(S):** 05-36-308-003

Contact	Petitioner	Owner
Ruth Mendez 531 Pearl St. Belvidere, IL 61008	Same as Contact	Same as Contact
(224) 202-2007 Ruthm3ndez@yahoo.com		

**Request:** Special Use for commercial use

**Notes:** By considering the current zoning, current land use, Geographical Information Systems maps, and requested Special Use Permit, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding area. Please see attached comments for additional recommendations.

Sincerely,

  
 Teagan Duffy

Resource Conservationist  
 Boone County SWCD



**Public Health**  
Prevent. Promote. Protect.

## Boone County Health Department

1204 Logan Avenue, Belvidere, Illinois 61008  
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050  
[www.boonehealth.org](http://www.boonehealth.org)

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*The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.*

November 21, 2022

City of Belvidere  
Community Development  
Gina DelRose  
401 Whitney Blvd Suite 300  
Belvidere, IL 61008

Email: [gdelrose@ci.belvidere.il.us](mailto:gdelrose@ci.belvidere.il.us)

Re: Case: 2022-26; Mendez, 1550 Pearl Street

Dear City of Belvidere,

We are in receipt of a copy of a special use to permit indoor sales or service which includes but is not limited to retail sales of goods and nonprofessional services at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District on approximately 0.50 acres. PIN: 05-36-308-003

If prepared or temperature controlled foods are served, prior to operation of the establishment a to-scale plan and a food application must be submitted to the Boone County Health Department for review. The plan review fee would be determined when menu information is submitted. Below is the county code explaining this further.

Sec. 30-35. Submission and review of plans; permits.

- (a) *Generally*, whenever a food service establishment or retail food store is constructed or extensively remodeled and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or conversion shall be submitted to the regulatory authority for review and approval before construction, remodeling, or conversion is begun. The plans and specifications shall indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, and the type and model of proposed fixed equipment and facilities.
- (b) *Permit required*. Any business or organization desiring to operate as a food service establishment or retail food establishment must have a current food service permit.
- (c) *Plans, inspection and approval*. Before issuing a food service permit to a new establishment, plans must be submitted to and approved by the health authority. Plans submitted for review must be accompanied by the appropriate plan review fee as listed in section 38-31.

RE: Case: 2022-26; Mendez, 1550 Pearl Street

Date: November 21, 2022

Page: 2 of 3

*Food establishment classifications.* All food service establishments or retail food establishments shall be categorized according to their type of operation, size of operation, and risk category of the food prepared and/or served and shall obtain a permit for the class of operation as hereinafter defined. The listing of various types of operation is not intended to be all inclusive, but typical and not limited to those mentioned. If a food establishment is not specifically listed, it shall be classified according to the class to which it most closely resembles.

- (1) *Category I High Risk Facility:* is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks and/or type of population served by the facility. The following criteria shall be used to classify facilities as Category I High Risk facilities:
  - a. whenever cooling of potentially hazardous foods occurs as part of the food handling operations at the facility;
  - b. when potentially hazardous foods are prepared hot or cold and held hot or cold for more than 12 hours before serving;
  - c. if potentially hazardous foods which have been previously cooked and cooled must be reheated;
  - d. when potentially hazardous foods are prepared for off-premises service for which time-temperature requirements during transportation, holding and service are relevant;
  - e. whenever complex preparation of foods, or extensive handling of raw ingredients with hand contact for ready to eat foods, occurs as a part of the food handling operations at the facility;
  - f. if vacuum packaging and/or other forms of reduced oxygen packaging are performed at the retail level; or
  - g. whenever serving immunocompromised individuals, where these individuals compromise the majority of the consuming population.
- (2) *Category I High Risk Multi-Department Facility:* is a food establishment that presents a high relative risk of causing foodborne illness based on the large number of food handling operations typically implicated in foodborne outbreaks. These facilities have the same criteria as Category I High Risk facilities, and have 3 or more departments within their facilities which need inspection including but not limited to main grocery, bakery, deli, meat and seafood departments.
- (3) *Category II Medium Risk Facility:* is a food establishment that presents a medium risk of causing foodborne illness based upon a few food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category II Medium Risk facilities:



RE: Case: 2022-26; Mendez, 1550 Pearl Street

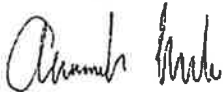
Date: November 21, 2022

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- a. if hot or cold foods are not maintained at that temperature for more than 12 hours and are restricted to same day service;
  - b. if preparing foods for service from raw ingredients uses only minimal assembly; and
  - c. foods served at an establishment that require complex preparation (whether canned, frozen, or fresh prepared) are obtained from an approved food processing plants, (high risk) food service establishments or retail food stores.
- (4) *Category III Low Risk Facility*: is a food establishment that presents a low relative risk of causing foodborne illness based on few or no food handling operations typically implicated in foodborne illness outbreaks. The following criteria shall be used to classify facilities as Category III Low Risk facilities:
- a. only prepackaged foods are available or served in the facility, and any potentially hazardous foods available are commercially pre-packaged in an approved food processing plant;
  - b. only limited preparation of non-potentially hazardous foods and beverages, such as snack foods and carbonated beverages occurs at the facility; or
  - c. only beverages (alcoholic and non-alcoholic) are served at the facility.

If you have any questions or concerns, please contact us at (815) 544-2951 ext. 2 or at [info@boonehealth.org](mailto:info@boonehealth.org).

Sincerely,



Amanda Mehl  
Public Health Administrator  
Boone County Health Department

AT

**CITY OF BELVIDERE**

*Community Development*



BUILDING DEPARTMENT

PLANNING DEPARTMENT

401 WHITNEY BLVD. SUITE 300 BELVIDERE, IL 61008 \* PH (815)547-7177 FAX (815)547-0789

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December 7, 2022

**ADVISORY REPORT**

**CASE NUMBER:** 2022-27 **APPLICANT:** Boone County Government, 1204-1212 Logan Ave.

**REQUEST AND LOCATION:**

The applicant and property owner, County of Boone, 1212 Logan Avenue, Belvidere, IL 61008 is requesting a variance at 1204-1212 Logan Avenue within the GB, General Business District (Belvidere Zoning Ordinance Table 150.1007(A)(1) Freestanding Signs, Setbacks: 10 feet and Section 150.909 Variance Review). The variance will allow for the required sign setback to be reduced from ten feet to five feet along the southern property line to allow for a freestanding sign to be constructed along Logan Avenue. The property is irregular in shape and is developed on the western portion with an office building and large parking area. PIN: 05-36-228-020

**EXISTING LAND USE ON SUBJECT PROPERTY AND ADJACENT PROPERTY:**

**Subject property:** Boone County Administration Campus

**Adjacent property:**

**North:** Mixed residential

**South:** Concordia Lanes, auto mechanic, multi-tenant commercial buildings

**East:** Multi-family residential and multi-tenant commercial building

**West:** Crusader Clinic and Shadley Apartments

**CURRENT ZONING ON SUBJECT PROPERTY AND ADJACENT PROPERTY:**

**Subject property:** GB, General Business District

**Adjacent property:**

**North:** SR-6, Single-family Residential-6 District and MR-8S, Multi-family Residential-8 Small District

**South:** GB, General Business District

**East:** MR-8S, Multi-family Residential-8 Small District and GB, General Business District

**West:** GB, General Business District and I, Institutional District

**COMPREHENSIVE PLAN:**

**Subject properties:** General Business

**Adjacent property:**

**North:** Single Family Residential

**South and West:** General Business

**East:** Single Family Residential and General Business

**BACKGROUND:**

Boone County purchased the property in 2008 and shortly after constructed the Boone County Administration Campus in order to centralize county offices. Previously, the Boone County Health Department and Bluege's bike shop occupied the property. The County is requesting a variance to construct a sign depicting the various offices located on the property in addition to an animated portion to notify residents of services offered and county activities.

The property is approximately 6.5 acres and mostly undeveloped on the eastern half. Although there is adequate room for the sign near the eastern entrance to the property, if the property were to ever be subdivided in the future or further developed, different signage is expected to be located there. The building is located approximately 265 feet from Logan Avenue, making wall signage difficult to notice. This adds to the demand for freestanding signage near Logan Avenue.

The parking lot on the western portion of the property is approximately 14 feet from the property line. The sidewalk is located on private property instead of the public right-of-way. This leaves approximately 10 feet of space to construct a sign that will not impede pedestrians utilizing the sidewalk and vehicles circulating throughout the parking lot. If the base of the sign is constructed to meet the required minimum setback of ten feet, the sign would be infringing into the parking lot. The applicant is requesting to reduce the setback to five feet in order to allow the base of the sign to be in-line with the sign. If a smaller base is chosen then the setback could be greater than five feet.

While the property is zoned general business, the use of the property as government offices is considered an institutional land use. Offices are permitted in the General Business District, however, institutional uses are allowed and oftentimes located in the Institutional zoning district. Signage on institutional zoned land is only required to be setback five feet. The same as what the applicant is proposing.

**TREND OF DEVELOPMENT:**

The subject property is located on Logan Avenue which was recently reconstructed to provide useable sidewalks and consistent right-of-way widths. Logan Avenue is comprised of a mix of commercial medical and institutional land uses with minimal residential.

**COMPREHENSIVE PLAN:**

The subject property is designated as "General Business" by the City of Belvidere Comprehensive Plan adopted July 15, 1999. The General Business map category encourages indoor commercial, office, institutional and controlled outdoor display land uses with moderate landscaping and signage.

**FINDINGS OF FACT:**

Per Section 150.909 (E) of the City of Belvidere Zoning Ordinance, the criteria for granting a Variance are as follows:

- A. **Findings: The requested variance is needed due to special conditions and circumstances existing that are peculiar to the land, structure or building involved and is not applicable to other lands, structures or buildings in the same district.**

The property is developed in a manner that allows for future development on the eastern portion. Locating the sign near the eastern access point not only distances it from the offices its advertising but could create a conflict in the future when the property is fully developed. The building itself is setback approximately 265 feet from Logan Avenue, making wall signage difficult to see by passing motorists.

- B. **Findings: The requested variance is not needed due to a particular hardship or difficulty arisen because of the unusual shape of the original acreage parcel; unusual topography or elevation; or because the lot was platted/created before the passage of the current, applicable zoning regulations and is not economically suitable for a permitted use or will not accommodate a structure of reasonable design for a permitted use if all area, yard, green space, and setback requirements are observed.**

The minimum lot width required for the General Business District is 100 feet and the minimum lot size is 20,000 square feet. The subject property exceeds both of these requirements. The difficulty the applicant is facing is not related to the configuration of the lot but the location and design of the parking lot.

- C. **Findings: The requested variance is not due to hardships or difficulties created from the actions of the Applicant.**

When the County redeveloped the property in 2008, they actually widened the grassy area between the sidewalk and parking lot, providing more room for signage than what previously existing. The new building was added on to the existing Health Department, maintaining the established 265-foot setback from Logan Avenue.

- D. **Findings: The requested variance will not confer on the Applicant a special privilege that is denied by this subsection to the owners of other lands, structures or buildings in the same district.**

Logan Avenue is an established commercial corridor with numerous signs that predate the current zoning ordinance (adopted 2006). It is likely that several signs along Logan Avenue do not meet the 10-foot required setback.

- E. **Findings: The requested variation is not the minimum variation that will make possible the reasonable use of land, structure or building.**

The requested variation will allow a freestanding sign to be placed on the property to better inform residents of services offered and county activities. The sign can be placed further east but could create confusion in regards to access points and conflict with future development. The applicant is requesting to utilize the same setbacks that the institutional zoning district allows considering that the County government offices are considered an institutional land use.

- F. **Findings: The subject property may yield a reasonable return if permitted to be used only under the regulations allowed in the applicable zoning district.**

The subject property is developed with an office building that allows for wall signs for advertising. However, several of the government offices located on-site conduct

community outreach activities that are better advertised on a changeable copy sign or animated sign more visible to those traveling down Logan Avenue.

- G. Findings:** The granting of the variation will be in harmony with the general purpose and intent of the Zoning Ordinance, will not be injurious to the neighborhood, will not impair the adequate supply of light and air to adjacent property, will not unreasonably increase the congestion in public streets, will not unreasonably diminish property values within the surrounding area, or otherwise be detrimental to the public interest.

The planning staff is not aware of any negative impacts created by other signs located along Logan Avenue. The proposed sign will be in-line with other institutional signage and provide information to residents of the community that would not be possible on wall signage.

**SUMMARY OF FINDINGS:**

The property is developed in a manner that allows for future development on the eastern portion. Locating the sign near the eastern access point not only distances it from the offices its advertising but could create a conflict in the future when the property is fully developed. The building itself is setback approximately 265 feet from Logan Avenue, making wall signage difficult to see by passing motorists.

When the County redeveloped the property in 2008, they actually widened the grassy area between the sidewalk and parking lot, providing more room for signage than what previously existing. The new building was added on to the existing Health Department, maintaining the established 265-foot setback from Logan Avenue.

The subject property is developed with an office building that allows for wall signs for advertising. However, several of the government offices located on-site conduct community outreach activities that are better advertised on a changeable copy sign or animated sign more visible to those traveling down Logan Avenue. The applicant is requesting to utilize the same setbacks that the institutional zoning district allows considering that the County government offices are considered an institutional land use.

Logan Avenue is an established commercial corridor with numerous signs that predate the current zoning ordinance (adopted 2006). It is likely that several signs along Logan Avenue do not meet the 10-foot required setback. The planning staff is not aware of any negative impacts created by other signs located along Logan Avenue. The proposed sign will be in-line with other institutional signage and provide information to residents of the community that would not be possible on wall signage.

**RECOMMENDATION:**

The planning staff recommends the **approval** of case number **2022-27**; Boone County Government, 1204-1212 Logan Avenue.

**Submitted by:**

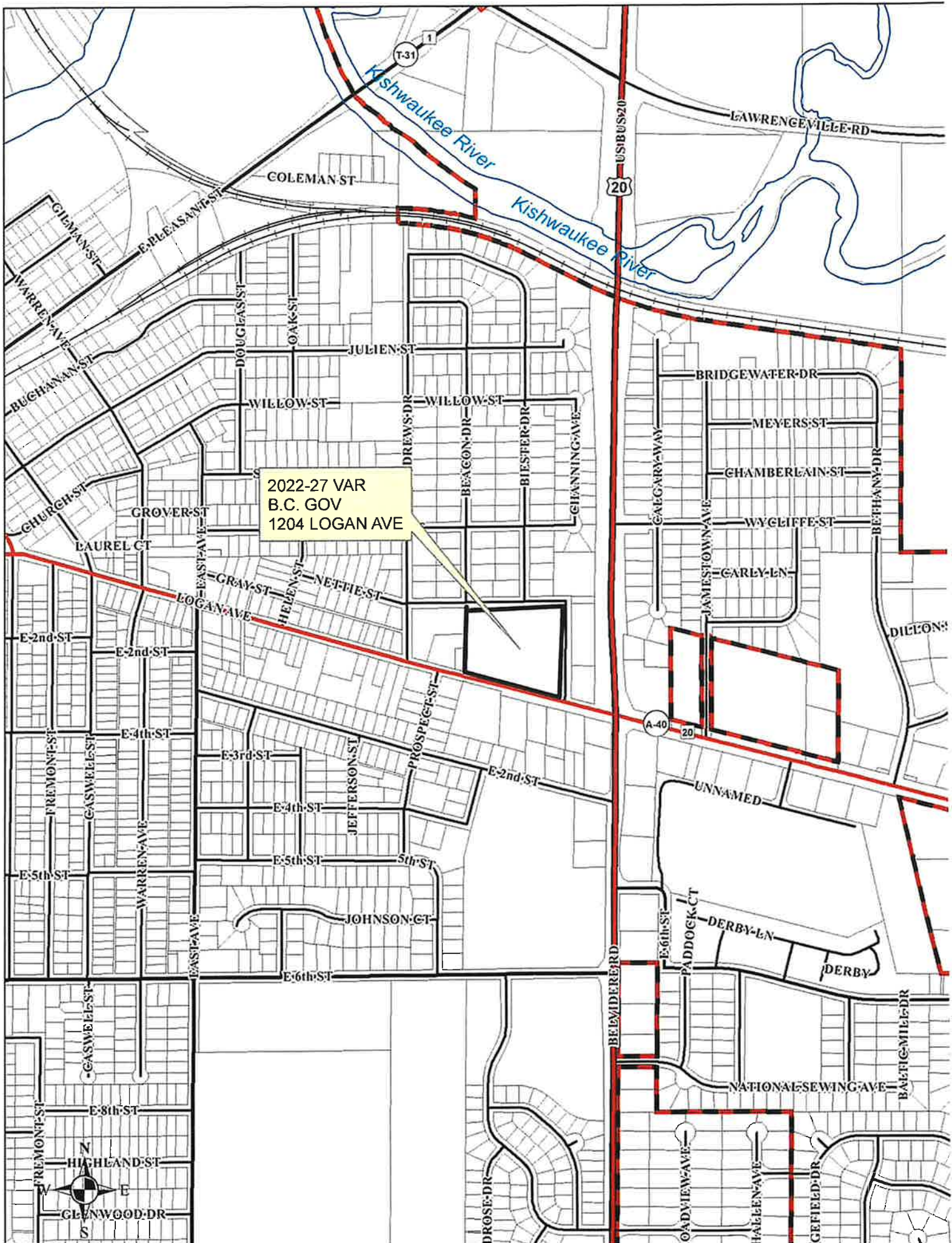
  
\_\_\_\_\_  
Gina DelRose,  
Community Development Planner

**PLANNING AND ZONING COMMISSION ACTION**

After the holding of the public hearing, the Planning and Zoning Commission shall make and adopt findings of fact and make its determination regarding the application as a whole. The Planning and Zoning Commission may request further information and/or additional reports from the Zoning Administrator and/or the Applicant. The Planning and Zoning Commission may take final action on the request for approval of the proposed variance at the time of its initial meeting or the proceedings may be continued for further consideration. Granting of a variance shall be considered as unique to the variance granted and shall not be construed as precedent for any other proposed variance.

**ATTACHMENTS**

1. Location Map by the Planning Staff
2. Aerial Photo by the Planning Staff
3. Narrative submitted by the Applicant
4. Site Plan submitted by the Applicant
5. Sign Elevation
6. Letter from the Boone County Health Department, Amanda Mehl, November 21, 2022.
7. Letter from Teagan Duffy, Boone County Soil and Water Conservation District, November 29, 2022.



2022-27 VAR  
B.C. GOV  
1204 LOGAN AVE







2022-27 VAR  
B.C. GOV  
1204 LOGAN AVE

City of Belvidere-Planning and Zoning  
401 Whitney Blvd  
Belvidere, IL 61008

November 8, 2022

Planning & Zoning Commission Members:

The Boone County Administration Campus is seeking a variance to reduce the front setback for a sign. There is currently no sign indicating which offices are located there and the sign will serve the entire admin campus. The ten (10) foot setback currently in place for signs would mean that the sign would be going into the parking lot, which would not be a good location. We have looked at the layout of the campus, and as the campus is not centered but placed toward the west of the property, we would like to place our sign in the front of the offices toward the west as well. While looking at the ordinance, the use of the property at 1204 Logan Ave is not commercial but fits more appropriately under an institutional use. Institutional zoning requires only five (5) feet from the ROW which is what we are requesting for the variance. We are requesting a reduction in front setback from ten (10) feet to five (5) feet for the placement of a sign.

*Stripmark*

**DESIGN**  
 PROJECT NO. 138+50  
 LOGAN AVENUE  
 BELVIDERE, IL 61009

**LOGAN AVENUE**  
 BELVIDERE, IL 61009

DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_

NO.	DESCRIPTION	DATE
1	DESIGN	10/1/13
2	REVISED	10/1/13
3	REVISED	10/1/13
4	REVISED	10/1/13
5	REVISED	10/1/13
6	REVISED	10/1/13
7	REVISED	10/1/13
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50	REVISED	10/1/13

**LOGAN AVENUE**  
 PLAN AND PROFILE  
 STA. 133+00 - 138+50

PROJECT NO. 138+50  
 DRAWING NO. 18148  
 SHEET NO. C20





227-007

227-008

229-008

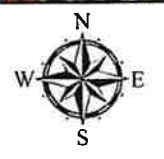
NETTIE ST

NETTIE ST

228-022

Sign Location:  
5 Feet From ROW

LOGAN AVE



1 inch = 83 feet

DRAFT PROPOSAL



Flat surface dimensions: 24.125" x 91.875"



Flat surface  
 dimensions for  
 FLAT FACE  
 SIGNATURE  
 57" x 93"

**Stewart Signs**  
 ONE SIGN. ONE COMPANY

1-800-237-3928 [stewartsigns.com](http://stewartsigns.com)

TekStar Color 10mm 64x224

Cabinet size: 5' x 8'

Signature 58 FLAT FACE Cabinet Size: 5'x8' Signature \_\_\_\_\_

Sk: 1004056-1a-s Cust: 3178398

10/18/2022 CW/cLane SOLD

Scale: 1/2"=1' Cabinet Color: Pewter

Date \_\_\_\_\_



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Brickwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations; final product dimensions may vary. LED images shown are simulated to replicate optimum viewing distance. *Original design, do not duplicate.*



**Public Health**  
Prevent. Promote. Protect.

## Boone County Health Department

1204 Logan Avenue, Belvidere, Illinois 61008  
Main Office 815.544.2951 Clinic 815.544.9730 Fax 815.544.2050  
[www.boonehealth.org](http://www.boonehealth.org)

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*The mission of the Boone County Health Department is to serve our community by preventing the spread of disease, promoting optimal wellness & protecting the public's health.*

November 21, 2022

City of Belvidere  
Community Development  
Gina DelRose  
401 Whitney Blvd Suite 300  
Belvidere, IL 61008

Email: [gdelrose@ci.belvidere.il.us](mailto:gdelrose@ci.belvidere.il.us)

Re: Case: 2022-2027; Boone County Government, 1204-1212 Logan Ave

Dear City of Belvidere,

We are in receipt of a variance request at 1204 -1212 Logan Avenue within the GB, General Business District (Belvidere Zoning Ordinance Table 150.1007(A)(1) Freestanding Signs, Setbacks: 10 feet and Section 150.909 Variance Review). The variance will allow for the requires sign setback to be reduced from ten feet to five feet along the southern property line to allow for freestanding sign to be constructed along Logan Avenue. PIN 05-36-228-020

At this time, the Boone County Health Department has no comment.

If you have any questions or concerns, please contact us at (815) 544-2951 ext. 2 or at [info@boonehealth.org](mailto:info@boonehealth.org).

Sincerely,

Amanda Mehl  
Public Health Administrator  
Boone County Health Department  
AT



**Boone County  
Soil & Water  
Conservation District**

211. N. Appleton Road  
Belvidere, IL 61008  
815-544-3465 x3

29 November 2022

**SWCD NRI #: 1718**

Belvidere Planning Department  
401 Whitney Blvd., Suite 300  
Belvidere, IL 61008

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted. We will supply a written reply to your office as indicated below:

Our review does not apply in this instance.  
 Other (see attached)

**Location of Site:** 1212 Logan Ave Belvidere, IL 61008

Contact	Petitioner	Owner
Isamari Mandujano 1212 Logan Ave Belvidere, IL 61008 (815) 547-6698 <a href="mailto:imandujano@boonecountyil.gov">imandujano@boonecountyil.gov</a>	Same as Contact	Boone County Government 1212 Logan Ave Belvidere, IL 61008

**Request:** Variance – reduce front setback for sign

**Notes, if any:** By considering the current zoning, current land use, Geographical Information Systems maps, and requested variance permit, the Boone County Soil and Water Conservation District has determined that the proposed use will have no significant impact on the natural resources on the property or surrounding area.

Sincerely,

Teagan Duffy  
Boone County Soil & Water  
Conservation District

# BELVIDERE

## Community Development Department

### Planning Department

401 Whitney Boulevard, Suite 300, Belvidere, Illinois, 61008 (815) 547-7177 FAX (815) 547-0789

### November 2022 Monthly Report

Number	Project	Description	Processed
<b>Belvidere Projects</b>			
1	Cases: November	515 S. State Street, SU	10/10/2022
2	Cases: December	1550 Pearl Street, SU	11/8/2022
		1204-1212 Logan Avenue, VAR	11/8/2022
3	Cases: January	SW Appleton/R.R., RZ	12/1/2022
		Crosslink #2, PP	12/1/2022
		Crosslink #2, SU	12/1/2022
0	Annexation	None	
0	Temporary Uses	None	
5	Site Plans (New/Revised)	1890 Crystal Parkway	11/1/2022
		1006 W. Lincoln Avenue	11/7/2022
		305 Southtowne Drive	11/7/2022
		1874 Crystal Parkway	11/8/2022
		209 W. Locust Street	11/10/2022
0	Final Inspection	None	
0	Downtown Overlay Review	None	
1	<b>Prepared Zoning Verification Letters</b>	1517-1519 James Court	11/17/2022
0	<b>Issued Address Letters</b>	None	
	Belvidere Historic Preservation Commission	The Commission held their 2022 Achievement Awards on November 3rd. The November and December monthly meetings will be combined into one meeting on December 6th.	
	Heritage Days	Staff met to begin planning the 2023 event.	
	Hometown Christmas	The Hometown Christmas committee continues to meet to plan the December 2, 2022 event.	
<b>Scanned Plats: E-mail, Print and/or Burn</b>			
1	Recorder's Office		
0	Other Department		
2	General Public		

#### Planning Department Current Duties

Close out completed planning case files  
Respond to all FOIA requests



## **Planning Monthly Report Cont.**

Work with 911, Fire Department and Post Office to verify all addresses in the City

Assist Growth Dimensions with requested data

Meetings and phone calls with developers regarding potential development

Phone calls/walk-ins for questions regarding zoning, floodplain, development, etc.

Prepare minutes, agendas and packets for various committees, commissions and boards

Prepare deposits and purchase orders for bill payments

\*\*\* Staff continues to reach out to the public to fill the vacancies on the Historic

Preservation Commission

\*\*\* Staff participated in the 4-H Christmas Tree and painted City Hall's windows

**CITY OF BELVIDERE  
PLANNING AND ZONING COMMISSION AGENDA  
Tuesday, December 13, 2022  
City Council Chambers  
401 Whitney Boulevard  
6:00 pm**

**ROLL CALL**

**Members:**

Paul Engelman, CHM  
Daniel Druckrey, VCHM  
Carl Gnewuch  
Robert Cantrell  
Art Hyland  
Alissa Maher  
Brad Anderson

**Staff:**

Gina DelRose, Community Development Planner  
Kim Whitt, Administrative Assistant

**MINUTES:** Approve the minutes of the November 8, 2022 meeting.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**2022-26: Mendez, 1550 Pearl Street (SU):** Application of Ruth Mendez, 531 Pearl Street, Belvidere, IL 61008 on behalf of the property owner, LHC Properties, LLC, 992 Belvidere Road, Belvidere, IL 61008 for a special use to permit indoor sales or service which includes but is not limited to retail sales of goods and nonprofessional services at 1550 Pearl Street, Belvidere, IL 61008 (Belvidere Zoning Ordinance Sections 150.105(C)(1)(B)(2) Indoor Commercial Entertainment and 150.904 Special Use Review and Approval Procedures) in the NO, Neighborhood Office District on approximately 0.50 acres. PIN: 05-36-308-003.

**Staff (Approval); PZC ( ); CC-1 ( ); CC-2 ( )**

**2022-27: Boone County Government, 1204-1212 Logan Avenue (VAR):** Application of property owner, County of Boone, 1212 Logan Avenue, Belvidere, IL 61008 for a variance at 1204-1212 Logan Avenue within the GB, General Business District (Belvidere Zoning Ordinance Table 150.1007(A)(1) Freestanding Signs, Setbacks: 10 feet and Section 150.909 Variance Review). The variance will allow for the required sign setback to be reduced from ten feet to five feet along the southern property line to allow for a freestanding sign to be constructed along Logan Avenue. PIN: 05-36-228-020

**Staff (Approval); PZC ( )**

**OTHER BUSINESS:**

**DISCUSSION:**

**Staff report**

**ADJOURNMENT**