



# Meeting Agenda

**Location:**

Village Hall -  
10631 Main Street  
Roscoe, IL 61073

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**Zoning Board of Appeals**  
Wednesday, April 10, 2024  
5:30 PM

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**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of meeting minutes from March 13, 2024

**NEW BUSINESS**

2. **ZBA 24-002:** Public Hearing for a Variance request to increase the width of the driveway from 24 feet to 29 feet at the property line extending to the existing garage at 738 Ballymore Road Pin (08-06-254-019)

**OLD BUSINESS**

**PUBLIC COMMENT (Limited to 3 minutes per speaker)**

**ADJOURNMENT**



# Meeting Minutes

**Location:**  
Village Hall -  
10631 Main Street  
Roscoe, IL 61073

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**Zoning Board of Appeals**  
Wednesday, March 13, 2024  
5:30 PM

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## CALL TO ORDER

The meeting was called to order at 5:30 pm by member Laura Baluch, who served as chair of the meeting in the absence of Chairman Durstock.

## ROLL CALL

Roll was called, and all members were present.

## PRESENT

- Chairman Jay Durstock [remotely via zoom]
- Member Laura Baluch
- Member Brad Hogland
- Member Dayne Mead
- Member Melissa Smith
- Member Ryan Swanson
- Member George Wagaman

## ABSENT:

Clerk Stephanie Johnston was not present at the meeting.

## STAFF IN ATTENDANCE:

Josef Kurlinkus - Acting Zoning Administrator

## APPROVAL OF MINUTES

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1. Approval of Minutes from the December 13, 2023 ZBA Meeting.

**Motion:** A motion was made to approve the Minutes from the December 13, 2023 ZBA Meeting.

There were no changes to the minutes.

Motion made by Member Swanson, Seconded by Member Mead.

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Swanson, Member Wagaman

## NEW BUSINESS

2. Introduction of **Elias Vareldzis** from **Vandewalle & Associates, Inc**, and discussion of the zoning and planning services they will be providing for the Village.

Jackie Mich & Elias Vareldzis from Vandewalle & Associates, Inc, introduced themselves and discussed their role as the Village's new zoning administration consultants, and the members of the ZBA were given the opportunity to ask the team questions related to the zoning administration services.

The consulting team discussed their background and qualifications. Mr. Vareldzis will be serving as the Village's day-to-day zoning administrator and main point of contact for the Village with additional support being provided by the rest of the Vandewalle team. The team discussed the importance of scheduling for efficient service and outlined procedures for setting up appointments and handling more complex zoning matters. The Board was informed that while there should always be someone present at Village Hall to provide general zoning information, and discuss the application process, any more in depth discussions will need to take place by appointment.

The team confirmed that the Village Attorney will still be addressing any legal questions, while Elias and other planners will take point on any zoning, planning and development projects.

3. Approval of the **2024 Meeting Schedule** for the Zoning Board of Appeals.

ZBA members discussed the the 2024 meeting 2024 Meeting Schedule. Members agreed that the current schedule of ZBA meetings taking place on the second Wednesday of the month at 5:30pm will continue to work with their schedules. The consultants from Vandewalle & Associates confirmed that they are available those dates as well.

**Motion:** There was a motion to approve the 2024 Meeting Schedule for the Zoning Board of Appeals, with meetings to take place on the 2nd Wednesday of each month at 5:30pm.

Motion made by Member Smith, Seconded by Member Wagaman.

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Swanson, Member Wagaman

- 4. ZBA 2024-001: **Design Review** for Approval of a **36,000 SF Building Addition** to All World Machinery located at **6164 All World Way** (PIN: 04-15-300-020).  
[Property Owner: All World Machinery Supply Inc.]

Administrator Kurlinkus presented the staff report and recommended approval of the design review for the approval of a 36,000 square foot building addition to All World Machinery.

The addition was deemed to align with zoning regulations and fit seamlessly with the existing building. Village staff have reviewed the building's elevation, site plan, and landscape plan, to ensuring that the expansion does not block out or encroach on neighboring properties, and follows all requirements of the Villages Zoning Code. The expansion plan also includes the addition of 26 new parking spaces.

The approval was recommended due to the minimal changes required and the fact that the building's facade, materials, and access points would remain the same.

**Motion:** Approval of the Design Review for a 36,000 SF Building Addition to All World Machinery located at 6164 All World Way (PIN: 04-15-300-020) [ZBA 2024-001]

Motion made by Member Wagaman, Seconded by Member Hogland.  
Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman  
Voting Abstaining: Member Swanson

**OLD BUSINESS**

There was no old business.

**PUBLIC COMMENT (Limited to 3 minutes per speaker)**

**Susan Petty:** Trustee Petty inquired as to if the parking lot would be have curb and gutter, as she recalled the owners requested a waiver in the past, that was denied by the Village. Administrator Kurlinkus informed the board that the current parking lot is built with curb and gutter, and per the Village's ordinance, the proposed expansion will also include curb and gutter.

**ADJOURNMENT**

**Motion:** A motion was made to adjourn the meeting at 6:04pm.

Motion made by Member Mead, Seconded by Member Swanson.  
Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Swanson, Member Wagaman

Meeting Adjourned at 6:04pm

**Zoning Board of Appeals Meeting of April 10, 2024**  
**Application No. ZBA 2024-002**

- Applicant:** Andrew Appलगren
- Location:** 738 Ballymore Road (PIN: 08-06-254-019)
- Requested Action:** Request for Variance to increase the established maximum residential driveway width from 24 feet to 29 feet
- Existing Use:** Single Family Residential
- Proposed Use:** Same as above
- Existing Zoning:** One-Family Residential (R1) District
- Adjacent Zoning:** North: R1  
East: R1  
South: R1  
West: R1
- Description:** The applicant is submitting a proposal and request for a Variance through Zoning Ordinance Sec. 155.15.9 at the property located at 738 Ballymore Road (Parcel No. 08-06-254-019). The property is located in the One-Family Residential (R1) Zoning District. The applicant is requesting a Variance for relief from the requirements of Section 155.3.4(B)(6) pertaining to the maximum driveway width allowed within the R1 Residential District.
- The Residential Driveway Design Standards of Sec. 155.3.4(B)(6) allow a residential driveway to match the width of a garage’s front façade for a total distance of 20 feet beyond the garage doors before tapering within a 10-foot distance down to the established maximum driveway width of 24 feet. The proposal is requesting a variance to allow the driveway to extend the full 29-foot width of the existing garage’s front façade all the way to the street without tapering to allow for the temporary loading and unloading of an RV trailer without blocking access to the garage.
- Staff Analysis:** The proposed driveway expansion would result in the addition of pavement to create a driveway running at a consistent width of 29 feet from the

property line to the existing garage. Specifically, the Variance requests flexibility from the following requirements of Sec. 155.3.4(B)(6):

- Residential driveways shall not exceed 24 feet in width at the property line.
- A garage access drive is permitted to match the width of the garage's front façade for a total distance of 20 feet beyond the garage doors before tapering within 10 feet back to the max driveway width of 24 feet.

Residential Driveway Design Standards are established within the Code to minimize the amount of excessive pavement in residential neighborhoods. The standards in place allow for a maximum driveway width that permits the easy maneuvering of two vehicles to and from up to a two-car garage, providing an ample 12 feet of access per car. As described above, there is also flexibility written into the code to accommodate wider paved areas that allow for continuous paved access to garages of widths greater than 24 feet, so long as the paved area is reduced to back to the maximum 24 feet within a total of 30 feet from the garage's entrance.

Allowing an exception from the established maximum residential driveway width creates a precedent that could have the effect of substantially increasing the amount of hardscape and paved surfaces within residential neighborhoods, which would ultimately reduce greenspace where residents live and detract from the quality of residential neighborhoods. Per the standards required to justify a variance per Sec. 155.15.9 described in detail below, staff does not support the request to exceed the maximum residential driveway width as justification for a variance from the established Ordinance has not been provided.

### **ZBA Considerations:**

Per Sec. 155.15.9, variances may only be granted if there exists an unnecessary physical hardship affecting the practical use of the property that is caused by a unique circumstance created by the physical conditions of the site itself. Any practical difficulty or unique physical hardship may not include conditions which are created by the property owner, previous property owners, nor be due to the personal circumstances of the property owner. Conditions upon which a petition for a variance is made must be unique to the property and must not be applicable, generally, to other properties within the same zoning district.

As part of the consideration of the requested Variance, the Zoning Board of Appeals (ZBA) is required to review the application and any associated statements and make a recommendation to the Village Board that the variance be *approved as submitted*, *approved with conditions*, or *denied*.

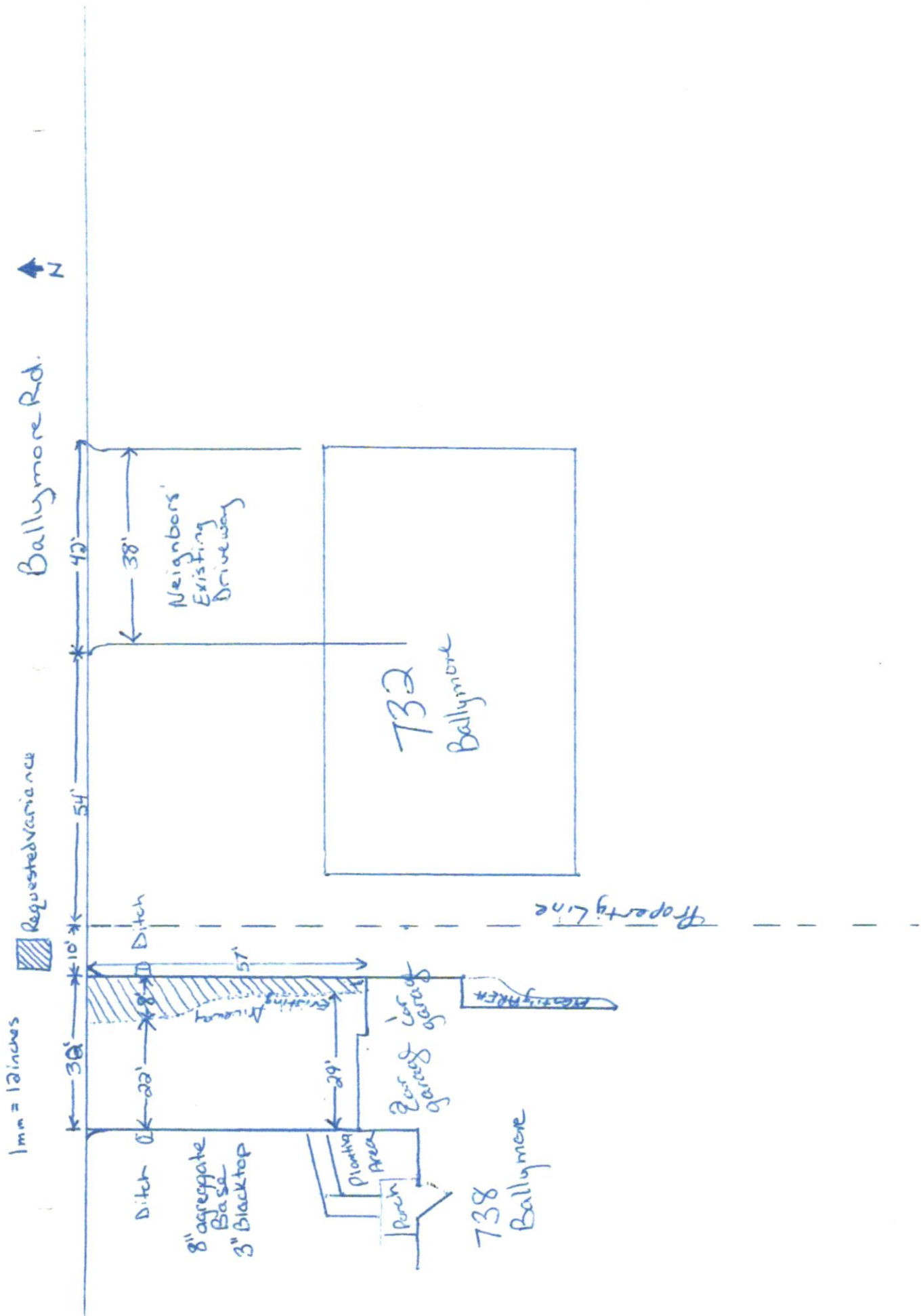
The recommendation provided to the Village Board for the proposed Variance must be decided by a majority vote of the ZBA. In reviewing the Variance request, the ZBA must consider the Findings of Fact prescribed in

Sec. 155.15.9(E) and provided as follows. For the Zoning Board of Appeals to make a decision to approve the proposed variance, it must find that **all** of the following facts are true:

- a) Because of the particular physical surroundings, shape, or topographical conditions of a 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;
- b) The practical hardship upon which the petition for a variance is based does not include conditions which are created by the property owner or previous property owner nor the personal circumstances of the property owner;
- c) The conditions upon which a petition for a variance is based are unique to the property for which the variance is sought and are not applicable, generally, to other property within the same zoning district;
- d) The purpose of the variance is not based exclusively upon a desire to increase the value or income potential of the property;
- e) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity in which the property is located;
- f) The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, increase the danger of fire, endanger public safety, or substantially diminish or impair property values within the vicinity.

A written finding of fact and recommendation based on these findings must be transmitted to the Village Board for their ultimate review and decision.

**Recommendation:** Staff recommends that the Board of Zoning Appeals recommend **denial** of the requested Variance as submitted based on the fact that Findings of Fact criteria *a*, *b*, and *c* above are not met and that sufficient justification for a Variance has not been provided.





# 738 Ballymore



4/5/2024

Parcel Owner

Stephenson Cnty Street Labels

Green: Band\_2

Winn Cnty Street Labels

WINCO2021

Blue: Band\_3

Boone Cnty Street Labels

Red: Band\_1

1:480

0 0.004 0.008 0.016 mi

0 0.005 0.01 0.02 km

WinGIS

Item # 2.







VILLAGE of ROSCOE  
10631 MAIN STREET  
PHONE: 815-623-2829 FAX: 815-623-1360

**ZONING BOARD of APPEALS APPLICATION**

**GENERAL INFORMATION**

Applicant

Name: Andrew Appelgren  
Address: 738 Ballymore Rd. Roscoe, IL 61073  
Phone: [REDACTED] Email [REDACTED]  
Applicant's Interest in Subject Property: Applicants Residence

Owner (if different from Applicant)

Name: Same as applicant  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email \_\_\_\_\_

**SUBJECT PROPERTY**

Address of Property: 738 Ballymore Rd. Roscoe, IL 61073  
Current Zoning Classification of Property:  
UT (RV) R2 RR MRD RM PUD CPD CR CG CH CO IL IG IH F C P  
Other \_\_\_\_\_

If a Special Use Permit has been previously issued, describe here, including date of issuance:  
\_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property (attach copy of deed) or legal.

Lot 184, Plat #5 of Crystal Hills

Property Identification Number (PIN): 08-06-254-019

Township: Section 6, Township 45 North, Range 2 East.

Is title to the subject Property held in a land trust?

Yes  No Trust No. \_\_\_\_\_

If yes, full disclosure of all trustees and beneficiaries is required: (use separate sheet)

Requested Action (check as many as are applicable)

- Variation
- Special Use Permit
- Map Amendment
- Text Amendment
- Zoning Appeal
- Other (specify)

Describe and explain reason for requested action: (use separate sheet if necessary)

We request a variance to have our 3 car garage driveway which is 29' at the garage extend full width to the street to allow temporary loading/unloading of our 5th wheel RV trailer, while still allowing normal operations of the garage.

Consultants

Please provide on a separate sheet the name, address, and phone number of each consultant or professional advising Applicant with respect to this Application (including without limitation, architects, engineers, surveyors, planners and attorneys)

Village Officials or Employees

Does any official or employee of the Village have an interest, either directly or indirectly, in the Subject Property? Yes  No

Repeat Application

Has any other zoning application for the Subject Property been submitted to the Village and denied in the past year? Yes  No  unknown, moved in June of 2023.  
(If yes, attach a statement of the grounds justifying reconsideration.)

Required Submittals

Ten (10) sets of all submittals and data required under the relevant provisions of the Zoning Ordinance shall accompany this application. Must include detailed site plan.