



**Planning and Community Development Department**

10631 Main Street, Roscoe, IL 61073

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permits@roscoeil.gov

**Zoning Board of Appeals Meeting of February 12<sup>th</sup>, 2025**

**Application No. ZBA 2025-005**

**Applicant:** Joshua Petry

**Location:** PIN #08-06-101-009, Roscoe Road

**Requested Action:** Final Plat Approval

**Existing Use:** Vacant Land

**Proposed Use:** Vacant Land

**Existing Zoning:** RM (Residential-Multifamily)

**Adjacent Zoning:**

North: Outside Village (Across Roscoe Road)

East: CG (contiguous)

South: R1 (contiguous)

West: Outside Village (Across Old River Road)

Description: The applicant is requesting final plat approval for Hawk's Point Plat 6, which is located at the corner of Roscoe Road and Old River Road. Originally, this plat was approved through the final stage on April 18, 2023 by the Village Board. However, at the May 2, 2023 Village Board meeting, the Board voted to rescind approval for the plat. The justification for this decision was based on the idea that new information was presented, which would allow Board votes to be changed, but only from the 'prevailing side' on an item. In other words, due to the bond condition of the approval not being completed yet, the Board had the justification to rescind approval.

The applicant then brought a lawsuit against the Village, alleging that they were entitled to the final plat approval from the Board's April 18 meeting. Through lengthy discussions and negotiations with the Village and both attorneys, the Village and the applicant were able to settle their dispute out of court. Part of these negotiations was the establishment of an agreed upon site plan for the plat. Because of this, the applicant is entitled to a plat that accurately reflects the site plan within this settlement agreement.

Analysis: Based on the information above, the materials provided by the applicant for final plat approval should accurately reflect what was agreed on within the settlement agreement. The applicant provided staff with an updated plat on December 20, 2024. The buildings and structures



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within this updated plat match those within the settlement's site plan. The landscaping plan for the plat also either meets or exceeds the plantings from the original final plat approval.

Staff Recommendation: Staff recommends **approval** of the final plat for Hawk's Point Plat 6 subject to the following conditions:

Applicant must address engineering review comments on the letter dated January 29, 2025.