



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Tuesday, May 5, 2026 at 6:00 PM

108 West Main Street and Virtually

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1. CALL TO ORDER

Meeting called to order at 6:00 PM.

2. ROLL CALL

PRESENT: Chairman Bill Emmert, Irv Koning, Brian Martin

Absent: Michael Booker

Guests present: Attorney Mary Gaziano, Village Administrator Dienberg, and Randy Hogan. There were no guests attending remotely.

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

No conflict of interest was noted.

4. PUBLIC COMMENT

Randy Hogan stated that the Village Building Official informed him that pools are prohibited from encroaching into front and side yards. He requested a variance for his property.

Chairman Emmert informed Mr. Hogan that he could continue with filing a variance which would involve a fee, or if Mr. Hogan believes that the building inspector wrongly interpreted the ordinance, he can challenge the interpretation of the Building Official and bring it to the Zoning Board for a review of their decision. Mr. Hogan replied that he would like to do the variance option first.

Mr. Hogan explained that he applied for the variance because his house is so far pressed against the rear, he has no rear yard except for a garage. Mr. Hogan stated that the proposed pool would be located entirely within the side yard and would not extend beyond the front of the house.

Attorney Gaziano asked if the building inspector directed Mr. Hogan to any specific ordinance regarding the pool. Mr. Hogan replied that he looked online regarding the pool and that there was a caveat at the end regarding discretion being made.

Mr. Dienberg asked if the section regarding the caveat was in the Unified Development Ordinance (UDO) or if it was part of the building code itself.

Chairman Emmert stated that the meeting would continue but recommended that Mr. Hogan discuss the denial with the Village Administrator and Building Official to determine whether discretion may be applied in his situation.

5. APPROVAL OF MINUTES

a. Approval of Minutes from March 31, 2026

Approval of March 31, 2026, minutes was deferred to the next meeting. Motion by Chairman Emmert, seconded by Brian Martin. Hearing no objection, the motion carried.

6. DISCUSSION

a. Application for Variance Request for 208 E Bluff Street

Chairman Emmert stated the application for the variance was addressed in public comment.

b. UDO Text Amendment Light Industrial

Chairman Emmert asked Mr. Dienberg the current status of the UDO text amendment for light industrial. Mr. Dienberg explained that text shown in blue represents proposed additions to the UDO. The amendment would allow principal permitted uses in the General Business District as special uses within the Light Industrial District.

Chairman Emmert asked why the formatting of “Special Uses” for the Light Industrial District is not consistent with other examples of “Special Uses” in the UDO as found in other districts. Attorney Gaziano replied that the difference was due to the addition of adding conditions that needed to be met in order to be granted a Special Use Permit. Mr. Dienberg added that the conditions were in place as the General Business District allows lumber yards as a principal permitted use and that the conditions would help remedy that. After further review, no objections were raised regarding the proposed conditions.

Chairman Emmert told Mr. Dienberg that the revisions of the Light Industrial text amendment should include the specification that only the principal permitted uses in

the General Business District under 6.06.01 (1) would be allowed as a special permitted use with the uses under 6.06.01 (2) being prohibited.

c. Village Board Interviews – Place Foundry Proposal

Mr. Dienberg reported that the Village's RFP process to update the Comprehensive Plan and UDO is progressing and that the Village Board will be interviewing potential candidates on May 20th for the next step of the interview process. Mr. Dienberg stated that the Zoning Board is welcome to attend and that they can pass questions to himself, the Village President, or the Village Trustees to ask questions of the candidates at the interview stage.

Chairman Emmert asked for a quick rundown on the aim of the interview process. Mr. Dienberg responded that the aim of the interview is to update the 2007 Comprehensive Plan. The plan is the selected candidate, along with working with the Sosnowski and Szeto Law Firm, Fehr Graham Village Engineers, along with public input, and a steering committee would update the Comprehensive Plan and to have a comprehensive update of the UDO.

Chairman Emmert asked Mr. Dienberg if the applicant will look for inconsistencies within the UDO. Mr. Dienberg responded that within the first three to four months they will have proposed a text amendment early in the process to address inconsistencies that need to be addressed immediately, with design standards coming later after community engagement.

Chairman Emmert asked if the text amendments would be based on things previously discussed by the Zoning Board or will they examine the inconsistencies themselves? Mr. Dienberg replied that from the current proposal it says that Sosnowski and Szeto would be involved.

Attorney Gaziano noted that the question she had with the proposal is regarding the review of inconsistencies as whether the candidate or the Sosnowski and Szeto law firm is doing the examining as there is a difference between ensuring that something meets the requirement for the law and ensuring that the document itself does not contain inconsistencies.

d. UDO Table 6.2

Mr. Dienberg asked if the Zoning Board would like to continue with the UDO revisions despite the potential for duplicate work due to the proposals. Chairman

Emmert responded that he did not see the need to duplicate the work that the applicant would be doing for updating the Village's UDO.

Chairman Emmert asked the Zoning Board if they would like to continue despite the duplicative and extensive work. Mr. Martin agreed with Chairman Emmert that the work would be duplicitous, and Mr. Koning voiced no objections to letting the applicant review the UDO for inconsistencies.

7. NEW BUSINESS

BUILD Act and Preemption of Local Government

Chairman Emmert asked if there were any new businesses to be brought to the attention of the board. Mr. Dienberg stated that the Village is examining the Governors proposed BUILD ACT due its strong preemption of local control and taking away municipalities abilities to impart their own zoning code.

Chairman Emmert added that this act would allow group homes in areas zoned for single families. Mr. Dienberg added that it also would allow for accessory dwelling units within Single Family zoning districts which poses infrastructure concerns as it would double the sewer and water connections on a single lot.

Zoning Board Member Appointments

Chairman Emmert stated that President Eubank asked if he would like to continue serving as the Chairman of the Zoning Board to which he stated that he was not opposed to continue serving unless someone else would like to serve.

Chairman Emmert then asked Mr. Dienberg regarding having a fifth person on the zoning board to serve as a tie breaker. Mr. Dienberg stated that he has not heard anything new at this time.

8. OLD BUSINESS

No further discussion was needed.

9. EXECUTIVE SESSION

No Executive Session was needed.

10. ADJOURNMENT

Chairman Emmert made the motion to adjourn with Mr. Koning seconding. The motion carried unanimously, hearing no objection. Meeting was adjourned at 6:40 p.m.