



# VILLAGE OF WINNEBAGO

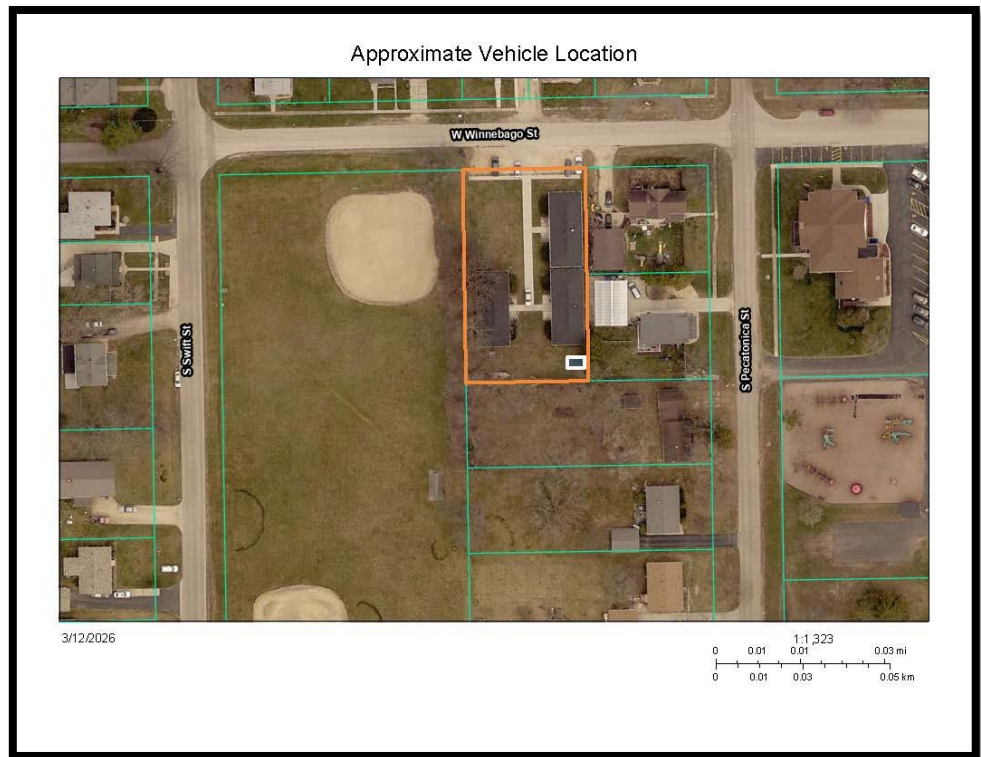
## MEMORANDUM

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**Prepared By:** Joseph Dienberg  
**To:** Village Board of Trustees  
**Date:** March 18, 2026  
**Subject:** Code Enforcement Matter – Recreational Vehicle at 304–308 W. Winnebago Street

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**Background:** Questions have recently been raised regarding a recreational vehicle located at the property at 304–308 W. Winnebago Street, including discussion during public comment at the March 4, 2026 Village Board meeting. The individual who addressed the Board requested consideration of an exception to the Village’s ordinance requirements regarding the placement of the camper.



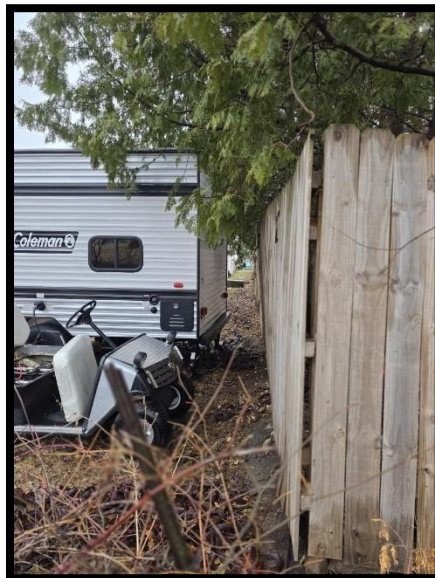
For clarification, the individual who spoke at the Board meeting is the tenant of the property, not the property owner. Under the Village’s Unified Development Ordinance and general code enforcement practice, responsibility for compliance rests with the property owner, although staff have communicated with both the owner and tenant in an effort to address the situation.

**Complaint and Investigation:** The Village office received an initial complaint on January 12, 2026, indicating that a recreational vehicle was parked at the rear of the property on a grass surface and that individuals may have been living in the vehicle. The complaint also referenced concerns regarding garbage around the camper and furniture placed at the curb for an extended period.

Code Enforcement Officer Aaron Moore investigated the complaint and confirmed that a recreational vehicle was located on the property in a manner that did not comply with the Village's Unified Development Ordinance.

Specifically, Article 12 of the Unified Development Ordinance regulates off-street parking requirements, including provisions allowing recreational vehicles on residential lots only when certain conditions are met, including that they be parked on a paved surface and meet required setbacks.

The recreational vehicle at this location was observed to be parked on grass rather than on a paved surface, which is the basis of the violation.



During the inspection, Mr. Moore did not observe evidence that the RV was connected to utilities or being actively occupied.

After a more detailed Staff Review, following the recent board meeting, it also appears that the camper may be in violation of the setback requirements in this article as it appears to encroach into required front and/or side yards, and is parked less than six (6) feet from the rear lot line.

**Enforcement Timeline:** Following the initial investigation, staff took the following steps:

- January 14, 2026: Code Enforcement Officer Moore contacted the property owner, who indicated that the RV would be removed.
- January 15, 2026: The tenant contacted Code Enforcement Officer Moore and a mutual understanding was reached that the RV would be removed within seven days.
- January 25, 2026: A follow-up inspection by the code enforcement officer determined that the RV had not been removed.
- February 4, 2026: A formal Notice of Violation was issued to the property owner citing the applicable section of the Unified Development Ordinance and providing a compliance deadline.

The RV remains on the property at this time, and no fines have been issued to date. Staff have also received ongoing inquiries from the original complainant regarding the status of the matter.

**Ordinance Requirements:** Article 12 of the Village's Unified Development Ordinance regulates the parking of recreational vehicles on residentially zoned properties. Under the ordinance, recreational vehicles exceeding 12,000 pounds may be parked on residential lots provided they:

- Do not encroach into required front or side yards,
- Are parked on a paved surface,
- and are parked no less than six (6) feet from the rear lot line.

The vehicle in question does not meet the paved surface requirement, which is the basis of the current violation. Additionally, it appears that the placement of the vehicle does not meet the rear and side yard setbacks. The property is zoned Two-Family Residential (District No. 2), which requires a 30-foot front yard and 12-foot interior side yard, pursuant to UDO Article 6, Table 6.1 – Area and Bulk Requirements.

**Board Discussion on March 4:** At the March 4 Village Board meeting, the tenant addressed the Board during public comment and requested that the camper be allowed to remain on the property. The request was framed as a desire for an exception to the ordinance requirement that the vehicle be parked on a paved surface. Under the current ordinance, staff do not have the authority to administratively waive the parking requirements.

Any modification to the ordinance requirements or relief from the standards must occur through the procedures established within the Unified Development Ordinance.

**Procedural Options:** If the individual wishes to pursue relief through the Village's zoning procedures, the following options exist under the Unified Development Ordinance:

**Appeal by the Property Owner**

The property owner may file an appeal through the Zoning Board of Appeals (ZBA) regarding the enforcement or interpretation of the Unified Development Ordinance as it applies to the property. This process requires submission of an application, payment of the applicable filing fee, public notice, and a public hearing before the Zoning Board of Appeals. Following the hearing, the ZBA would make a recommendation to the Village Board for final consideration.

**Variance Request by the Property Owner**

The property owner may apply for a variance through the Zoning Board of Appeals seeking relief from the specific ordinance standard. This process requires submission of an application, payment of the applicable filing fee, public notice, and a public hearing before the Zoning Board of Appeals. The Zoning Board of Appeals has final authority to grant or deny variance requests. Variances are statutorily evaluated based on whether a property demonstrates a unique hardship tied to the physical characteristics of the property amongst other statutory requirements.

**Text Amendment Request by an Individual Petitioner**

Any individual petitioner may request a text amendment to the Unified Development Ordinance if there is interest in modifying the standards governing recreational vehicle parking for all parcels in the village. For example, the ordinance could be amended to allow alternative surface types, such as gravel or other stabilized surfaces, rather than requiring pavement. This process requires submission of an application, payment of the required filing fee, public notice, and review by the Zoning Board of Appeals with a public hearing prior to a recommendation being made to the Village Board.

### **Text Amendment Initiated by the Village Board**

The Village Board may also initiate a text amendment on its own motion. In this case, the matter would still be referred to the Zoning Board of Appeals for review and public hearing prior to consideration by the Village Board. Because the amendment would be Board-initiated, no application or filing fee would be required from a petitioner.

Continuation of Standard Enforcement: The Village may also proceed with continued enforcement of the existing ordinance. The Unified Development Ordinance authorizes the issuance of citations and fines where violations remain unresolved following notice.

**Administrative Considerations:** Code enforcement staff act on behalf of the Village Board to administer the ordinances that have been adopted by the Board. When enforcement action is initiated in accordance with the adopted ordinance, it is important that the process remain consistent and predictable.

If the Board wishes to consider modifying the standards contained within the ordinance, that discussion is best conducted through the formal amendment process rather than through case-by-case exceptions.

Staff will continue to proceed in accordance with the direction of the Village Board regarding how to move forward.