



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Tuesday, February 04, 2025 at 6:00 PM

108 West Main Street and Virtually

To access meeting from any device: <https://global.gotomeeting.com/join/777725485>

Or by (Toll Free): 1 877 309 2073 | Access Code: 777-725-485

1. CALL TO ORDER

The meeting was called to order at 5:58 PM

2. ROLL CALL

PRESENT: Michael Booker, Chairman Bill Emmert, Irv Koning, Brian Martin, Riley Pitney

GUESTS: Attorney Mary Gaziano, Village Administrator Joseph Dienberg, Chris Stukenberg, Mike Reinders, Mark Dwall, Lisa Smith, Chandra Cearn, Siri Drogsvold, Deputy Clerk Kellie Symonds. Rich Graham- attending remotely

3. DISCLOSURE OF ANY CONFLICT OF INTEREST- No conflict of interest was noted.

4. PUBLIC COMMENT- No one requested the opportunity to address the board.

5. APPROVAL OF MINUTES

a. Public Hearing Minutes from January 14, 2025

Chairman Emmert made the motion to approve the Public Hearing Minutes of January 14, 2025 with corrections, seconded by Mr. Booker. Motion carried on the unanimous voice vote.

b. Minutes from January 14, 2025

Chairman Emmert made the motion to approve the minutes of January 14, 2025, with amendments, seconded by Mr. Booker. Motion carried on a unanimous voice vote.

c. Minutes of the October 28, 2024 Public Hearing-Correction

Chairman Emmert made the motion to amend the minutes of October 28, 2024, Public Hearing, seconded by Mr. Booker. (The minutes were originally approved on January 14, 2025. Following the meeting and reviewing the recording, it was recommended to revise the minutes for additional clarity on page four and specify the "farmland" surrounding the property of Olson's Funeral Home on page five). Motion carried on a unanimous voice vote.

6. DISCUSSION

a. Tattoo Zoning Use Discussion

Administrator Dienberg provided the requirements as stated by the Illinois Department of Public Health Body Art Code. Administrator Dienberg surveyed the neighboring municipalities that have zoning uses for tattoo establishments. Most of the municipalities have these zoned as Special Use. Administrator Dienberg recommended a Text Amendment to the Unified Development Ordinance (UDO) for a Special Use for the establishment, which would be consistent with and fit with surrounding neighbors if that is the opinion of the Zoning Board. Chairman Emmert explained to the guests in attendance the need for the action of a public hearing for a text amendment to the UDO.

Attorney Gaziano explained to those in attendance the public hearing process and the publication time line. Attorney Gaziano stated the importance for public to have the opportunity give input into the matter. Mr. Booker asked about the Village Board addressing the UDO concerns. Administrator Dienberg stated the anticipated process to address the concerns in the tables of the UDO. Chairman Emmert clarified the process whether the Village Board decides with respect to the tattoo parlor whether it is a permitted use or a special permitted use.

Chairman Emmert made a motion to have a public hearing scheduled for March 4, 2025 at 5:30 PM, concerning the Village's ordinances on tattoo parlors as well as whether there should be a special use or permitted use, seconded by Mr. Booker. Ms. Cearns noted that her previous tattoo shop was zoned as retail and questioned why this process seems so in-depth. Mr. Dienberg explained that the Village's UDO is currently vague and requires clarification. Mr. Pitney questioned what restrictions other local municipalities had placed on this type of business. Administrator Dienberg noted that other municipalities generally had a separate permit application, which Staff is not recommending at this time, and that each permit had its own restrictions, most of which were based on how close to the schools the business is. Ms. Cearns questioned whether the restrictions would follow what the State Health Code Inspector already requires of a tattoo parlor. Mr. Booker requested that any information that Mr. Dienberg has on the requirements made by other municipalities be made available to the Zoning Board as well.

Motion was passed by unanimous voice vote of all those present.

b. Park Hills Church - Variance or Zoning Change

Administrator Dienberg gave an overview of the history with Park Hills Church and their prior requests for expansion. In the review, engineering noticed that the parcel is currently zoned single family, residential which the UDO prohibits a parking lot in the front or side yard of a church. Park Hills was advised to seek a variance and a public hearing.

Chairman Emmert stated his belief that a public hearing is warranted and that they have the right to request a variance, but that he is unsure of whether this is a variance issue or an ordinance issue, given that historically, the Village has allowed schools and churches to be in residential areas. Mr. Booker questioned whether the church is grandfathered in under the ordinance prior to the UDO, to which Attorney Gaziano clarified that if the improvement or enlargement is by 50% or greater, then they would then fall under the UDO.

Conversation ensued regarding whether this issue would be unique to the church, or if future projects may also need a variance, making it so that it would be more productive to do a text amendment, rather than a variance. The question was also raised by Chairman Emmert if a text amendment should quantify how large of a lot is needed for a school or religious institution to be exempt from certain aspects of the UDO.

Mr. Graham noted that given their location of their church, it puts them in a unique position for adding the parking stalls, which is why he is requesting a variance. He also mentioned that because they are a community focused organization, the new lot would then be available for the community to park in for events at the Lighted Diamond.

Mr. Booker recommends scheduling the public hearing and then having the Chairman and Village President meet in the interim to discuss the possibility of changing the ordinance. Attorney Gaziano stated that she and staff would need guidance from the Zoning Board on what the text amendment should say prior to the meeting.

Administrator Dienberg suggested an acre or greater for the size restriction to be in agreeance with the rest of the UDO, for a school or religious institution, and the principle use is not as a dwelling.

Mr. Graham stated his concern that since this project has been in the works since May of 2023 and they had received the appropriate building permit in October of 2024, he would prefer for this project to proceed without being delayed by an ordinance

overhaul, which could drag out the project and delay the contractors that they already had lined up.

Mr. Booker made the motion to hold a public hearing on the variance application on March 4, 2025, at 5:45 PM, seconded by Mr. Martin. Motion carried.

7. NEW BUSINESS – No discussion

8. EXECUTIVE SESSION- Not needed

9. ADJOURNMENT

Motion to adjourn was made by Mr. Booker, seconded by Mr. Koning

Motion carried. Meeting adjourned at 7:13 PM

UNAPPROVED

Kellie Symonds, Deputy Clerk