



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Tuesday, March 04, 2025 at 6:00 PM

108 West Main Street and Virtually

1. CALL TO ORDER

The meeting was called to order at 6:20 P.M.

2. ROLL CALL

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

GUESTS: Attorney Gaziano, Village Administrator Joey Dienberg, Rich Graham, John Pierson, Mike Reinders, John Rowley, Dan Herr, Lorisa Herr, Jason Silberman, Anna Silberman

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

None

4. PUBLIC COMMENT

No one from the public requested to speak

5. APPROVAL OF MINUTES

a. Minutes from February 4, 2025

Chairman Emmert made a motion to approve the minutes from February 4, 2025, as written.

Mr. Koning had a clarification of the spelling of DeWall in the roll call and questioned whether under 3B, first paragraph, the phrase “of a church” was needed. Attorney Gaziano stated that in the same section, the word “which” should be “wherein”.

Chairman Emmert asked whether there were any other suggested changes and if anyone was opposed to the minutes as orally amended. No one opposed. Chairman Emmert stated, “Let the record show, we are approving these minutes by unanimous vote of all persons present, as amended.”

6. DISCUSSION

a. Recommendation on a Text Amendment to the Unified Development Ordinance Regarding Body Art Establishments in District No. 3- General Business District

Chairman Emmert stated he thinks a special permitted use ordinance would be the most appropriate course of action. Mr. Koning questioned if passing the special permitted use, rather than a permitted use, would delay the body art establishment from opening. Chairman Emmert and Attorney Gaziano confirmed it would delay the opening by about another month. Mr. Martin agreed with it being a special permitted use. Mr. Koning noted that if the suggestions made in the last meeting were included, he would be in favor of it being a special permitted use. However, if not, then he would be in favor of it being a permitted use, due to the state statutes and regulations that are already in place for body art establishments within the state of Illinois.

Chairman Emmert stated he would prefer for the dealings of the business to not be visible from the street. Mr. Koning noted this issue is already covered by state regulations.

Mr. Koning questioned what the permitted hours of operations would be, to which Chairman Emmert stated they could be restricted if approved as a special permitted use.

Chairman Emmert made a motion to recommend to the Village Board, that body art establishments be a special permitted use in District No. 3- General Business, seconded by Mr. Martin. Motion carried by the unanimous vote of all members present.

b. Park Hills Church Variance Request

Chairman Emmert stated that item 6B on the Agenda must be held over until the next meeting because according to the UDO, at least 4 members of the Zoning Board are needed to approve a variance. Attorney Gaziano requested Village Administrator Dienberg to locate the ordinance that approved the decrease in zoning board members from 7 to 5, because she believes the number required to approve a variance was also decreased at that time.

Village Administrator Dienberg was able to produce copies of Ordinance 2023-07 for the Zoning Board. Attorney Gaziano verified that this ordinance, while changing the number of members of the Zoning Board, did not reduce the number of votes required to pass a variance.

Chairman Emmert stated that his intention is to “keep the record clean” so that if this variance were to ever be challenged, it could not be overturned on an administrative review. Mr. Graham reiterated Chairman Emmert’s reasoning for postponing, then

clarified that as it sat, the church would not be able to proceed with their project, and with no timeline on when they would be able to move forward, until a 4th member attended the zoning meeting. Chairman Emmert confirmed this to be the case but noted a special meeting may be able to be held.

Mr. Graham requested a special meeting occur, due to the church's expansion project being put on hold indefinitely otherwise, or as an alternative that the Zoning Board approve the text amendment suggested as the next item on the agenda because a variance would then not be required for their project.

Chairman Emmert verified the Board of Trustees meets every 2 weeks with Attorney Gaziano, on the first and third Wednesday of each month. All zoning board members present stated that they would be available on Tuesday, March 18, 2025 for a special meeting.

Chairman Emmert requested that in the interim, additional research be performed by village staff to identify all of the sections of the UDO which need to be amended in order to allow a church to have a parking lot on its property. In his opinion, amending just section 12.14(2) would not be sufficient; sections 12.14(3) and (7) also need to be addressed.

Chairman Emmert made a motion to hold a special meeting on March 18, 2025, at 6 p.m. to discuss the variance and possible UDO text amendment for off street parking, seconded by Mr. Martin. Motion carried by the unanimous vote of all members present.

c. Proposed UDO Text Amendment – Off-Street Parking Requirements for Churches and Schools

Village Administrator Dienberg questioned if any discussion would be had regarding the proposed UDO text amendment for off-street parking requirements. Chairman Emmert stated that he felt it best to wait. Village Administrator Dienberg noted that by not discussing the proposed text amendment at this meeting, the earliest it would be passed, would be in May 2025 due to the public notice and hearing requirements. Attorney Gaziano reiterated Village Administrator Dienberg's statement. Chairman Emmert stated that he would, "leave it up to the other two members if they want to proceed tonight on it." Mr. Martin stated that he believed Mr. Booker is in favor of the UDO text amendment. Chairman Emmert noted that he would like input from the other members that are not currently in attendance, because that could affect how he votes

on the variance in 6B. No further discussion nor action took place regarding this agenda item.

7. NEW BUSINESS

No new business

8. EXECUTIVE SESSION

Not needed

9. ADJOURNMENT

Chairman Emmert made a motion to adjourn, seconded by Mr. Koning. Motion carried on a voice vote. Meeting adjourned at 6:44 p.m.

APPROVED: MAY 6, 2025

Rachel Windgassen, Assistant Deputy Clerk