



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Tuesday, November 04, 2025 at 6:00 PM

108 West Main Street and Virtually

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

2. ROLL CALL

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

ABSENT: Riley Pitney

GUESTS: Attorney Mary Gaziano, Village Administrator Joey Dienberg, Shannon DeWitt, and Tamra Sanders.

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

There were no conflicts noted.

4. PUBLIC COMMENT

There were no requests for Public Comment. The guests declined opportunity to comment at this time.

5. APPROVAL OF MINUTES

a. Public Hearing September 30, 2025

Mr. Emmert moved to approve of the September 30, 2025, Public Hearing minutes as presented, seconded by Mr. Booker. The motion carried unanimously, hearing no objections.

b. Minutes from September 30, 2025

Mr. Emmert made the motion to approve of the Zoning Board minutes of September 30, 2025, as presented, seconded by Mr. Koning. The motion carried unanimously, hearing no objections.

6. DISCUSSION

a. Zoning Change for 9714 Cunningham Road (PIN 14-16-200-003)

Mr. Koning made a motion to recommend that the Village Board annex 9714 Cunningham Road as proposed, seconded by Mr. Martin. Attorney Gaziano stated that the action of the Zoning Board is to recommend a zoning change, not annexation.

Mr. Koning amended his motion to recommend to the Village Board that 9714 Cunningham Road be zoned as requested as **Limited Agricultural (Limited Ag)** upon annexation. Attorney Gaziano then clarified for the zoning members their specific responsibility.

Mr. Koning asked if the correction to the Unified Development Ordinance (UDO) that was identified at the last meeting had been addressed. Village Administrator Dienberg stated that the scrivener's error correcting the UDO had been adopted at the last Village Board meeting. Mr. Dienberg read the corrected Section 6.08.02(4)(a)(iv) from Ordinance 2025-20 which included the missing language (underlined) for the

members as follows: Any residential detached dwellings existing on a given property that is (a) rezoned to Agricultural zoning at the time of pre-annexation to the Village of Winnebago if the property is not contiguous to the corporate limits of the Village of Winnebago at the time the agreement to annex is executed, or (b) rezoned to Agricultural zoning at the time of annexation to the Village of Winnebago if the property is contiguous to the corporate limits of the Village of Winnebago at the time the agreement to annex is executed, shall be permitted to remain on such property, and such building may be converted, enlarged, or structurally altered provided the converted, enlarged, or structurally altered structure meets all other Village zoning and building requirements.

Mr. Emmert asked Mr. Koning if this answered his concern. Mr. Koning affirmed that it did. Mr. Emmert then moved on to the discussion of the item.

Mr. Emmert urged the members to vote “no” on this motion, citing the Unified Development Ordinance, Section 6.04.01.2: *“There shall be only one principal use on a lot or parcel, except in the business and industrial zoning districts, or as otherwise provided for in this ordinance.”* Mr. Emmert argued that the principal use of the subject property is, and for the foreseeable future will be, residential. He concluded that recommending the subject property be zoned Limited Agricultural would be inconsistent with, and contrary to the Village’s Unified Development Ordinance. Mr. Emmert also argued that it was “fiction” to make a recommendation of Limited Ag, and that it was not a good idea. He added that the Village would not get the benefit of receiving any additional real estate tax revenue if this property is zoned Limited Agricultural upon annexation because those taxes would be abated; although the property owner would gain police coverage and would not be subject to obtaining and paying for a building permit.

Mr. Dienberg clarified that if the property were annexed as Limited Ag, any non-agricultural buildings would be subject to the Village’s building permit requirements. Mr. DeWitt requested to comment, but Mr. Emmert declined the request. Mr. Emmert then called for a roll call vote. The motion failed on the following roll call vote of those present: **Emmert – No; Koning – Yes; Martin – Yes; Booker – No.**

Mr. Emmert then made a motion to recommend to the Village Board that 9714 Cunningham Road be zoned **District #1 – Residential** upon annexation, seconded by Mr. Booker.

Discussion of the motion: Mr. Martin stated that the property is currently zoned Agricultural in Winnebago County. Mr. Emmert called for a roll call vote. The motion carried on the following roll call vote of those present: **Koning – Yes; Martin – No; Booker – Yes; Emmert – Yes.**

Mr. DeWitt and Ms. Sanders left the meeting.

b. Comprehensive Plan/UDO RFP Discussion

Mr. Dienberg explained the proposal for the Comprehensive Plan and Unified Development Ordinance (UDO) Request for Proposal (RFP) for the Board’s consideration. He noted that the current 2007 Comprehensive Plan is outdated and needs to be revised to align with the Village of Winnebago’s Strategic Plan, current goals, and vision.

Attorney Gaziano stated that Mr. Dienberg had received an unsolicited proposal from the firm that completed the Village's recent Strategic Plan. Mr. Dienberg explained that this would be an 18-to-24-month project and recommended that the same firm complete both the Comprehensive Plan and the UDO to ensure cohesiveness between the two documents. The agreement could specify that the Comprehensive Plan be completed first, followed by the UDO.

Mr. Booker reiterated the shortcomings of the current UDO and the frequency with which errors are encountered in the document. He recommended that someone review the UDO for obvious errors. Attorney Gaziano noted that, at the time of adoption, the Village Board was aware that certain tables were incomplete and would need to be addressed in the future.

c. **Meeting Schedule for 2026**

Mr. Dienberg presented a proposed meeting schedule for 2026 to the zoning members. After discussion, it was decided to keep the schedule as currently set — meetings will be held on the Tuesday before the first Village Board of Trustees meeting of each month, unless the Village Board has an issue with this schedule. The item will be added to the agenda for the December 2, 2025, meeting.

7. NEW BUSINESS

No New Business was noted.

8. STATUS OF ZONING RECOMMENDATIONS TO BOARD

Mr. Dienberg reiterated the scriveners' error correcting the UDO which was addressed in the meeting. Mr. Emmert requested that any document relating to their recommendations be included in their meeting packets for the future.

9. EXECUTIVE SESSION

No Executive (Closed) Session needed.

10. ADJOURNMENT

Mr. Emmert made the motion to adjourn the meeting, seconded by Mr. Koning. Hearing no objections, the motion carried. Meeting adjourned at 6:58 p.m.

Approved: December 2, 2025

Prepared by: Kellie Symonds

Reviewed/Revised by WE