



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING AGENDA

Monday, September 23, 2024 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**
2. **ROLL CALL**
3. **DISCLOSURE OF ANY CONFLICT OF INTEREST**
4. **PUBLIC COMMENT**

It is recommended that a written request to address the Village Board by non-members should be submitted via mail, hand delivery, or the Village Website to the Village of Winnebago Office located at 108 West Main Street, Winnebago, Illinois, 61088, by 12:00 Noon on the day of the meeting scheduled by the Village authorities in which the speaker would like to participate. Alternatively, speakers may fill out the form at the meeting to sign up for public comment. Each speaker is limited to three (3) minutes. A maximum of thirty (30) minutes shall be allowed for public comment at each meeting.

5. **APPROVAL OF MINUTES**

[a.](#) Minutes from July 22, 2024 & September 25, 2023

6. **DISCUSSION**

Special Use Permit Request to Operate a Crematory at 602 N. Elida Street

7. **NEW BUSINESS**

a. Discussion of future meeting dates for 2025

8. **EXECUTIVE SESSION**

9. **ADJOURNMENT**

Posted: September 19, 2024 at 10:00 a.m. at 108 W. Main Street, Winnebago, IL
and online at www.villageofwinnebago.com Tel 815.335.2020 | Fax 815.415-8491

/s/ Rachel Windgassen, Administrative Assistant

The Planning & Zoning Board of the Village of Winnebago met for a Public Hearing with Chairman William Emmert presiding and calling the meeting to order at approximately 5:50 p.m. to hear input on ZONING ORDINANCE/UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT (ZONING DISTRICTS IN WHICH MORTUARIES ALLOWED AND ALLOWING OF CREMATORIES).

ROLL CALL: EMMERT–KONEY- PITNEY- present; BOOKER and MARTIN - absent.

The guests present were Attorney Mary J. Gaziano, Village Administrator Joseph Dienberg, Scott Olson. There were no remote attendees.

CHAIRMAN EMMERT opened up the hearing to receive testimony from the public on regarding the proposed ZONING ORDINANCE/UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT (ZONING DISTRICTS IN WHICH MORTUARIES ALLOWED AND ALLOWING OF CREMATORIES).

Chairman Emmert asked Mr. Olson if he was a funeral director, and the licensing of such services. Mr. Olson stated the State of Illinois does not distinguish between funeral homes and mortuaries, or between funeral director or mortician.

Mr. Olson provided information regarding the crematory, also known as a chamber. He presented his proposal for the former Genandt Funeral Home location. The intent is to renovate the interior and exterior of the current buildings which includes adding a chamber for cremation, space for viewing and storage. Mr. Olson stated the trend has increased in cremations services.

A state permit is required by the State of Illinois Environmental Agency for funeral homes crematories. Certificate of Credentials for performing the services of a crematory and operating a crematory. Funeral Directors are licensed.

Chairman Emmert made the motion to close the Public Hearing, second by Mr. Koning. Motion carried on the voice vote of the those present.

The Public Hearing was closed at 6:06 p.m.

DRAFT- UNAPPROVED

William D. Emmert, Chairman

Prepared by:
Kellie Symonds, Deputy Clerk



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

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108 West Main Street and Virtually

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

1. CALL TO ORDER

The meeting was called to order at 6:07pm

2. ROLL CALL

PRESENT

Chairman Bill Emmert

Irv Koning

Riley Pitney

GUESTS

Mary Gaziano, Village Attorney

Joey Dienberg, Village Administrator

Scott Olson, Olson Funeral and Cremation Services

ABSENT

Michael Booker

Brian Martin

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

None

4. PUBLIC COMMENT

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Mr. Olson noted that he appreciates the time and consideration given to him by the Village. He mentioned that he will support whatever decision the Zoning Board comes to, regarding his special use permit.

5. APPROVAL OF MINUTES

a. Minutes from June 3, 2024

Chairman Emmert had two grammatical/formatting corrections, but had no issues with the information held in the minutes.

Motion made with the noted corrections by Chairman Emmert, Seconded by Pitney.

Voting Yea: Chairman Emmert, Koning, Pitney

Chairman Emmert notes that the September 25, 2023, minutes will be reviewed at the next meeting. Chairman Emmert stated that on the September 25, 2023 minutes, it mentions that the school is considering purchasing land, but is not sure if it is considered "historical". Chairman Emmert would like Staff to review the recording to verify what discussion, if any, was had regarding whether the property is considered historical.

6. DISCUSSION

a. Zoning Text Amendment- Crematories

Chairman Emmert states that he believes that making an amendment to the UDO to include clarification that funeral homes are a permitted use and are able to operate within the business district, would be beneficial. In the decision on whether a crematory is a permitted use or a special permitted use, he notes that he believes that it should be a special permitted use due to it being a special permitted use within the agriculture zoning districts, and the UDO currently having requirements for it. Chairman Emmert mentions that he would like it to have distance specifications from residential zoning.

Mr. Pitney raised the question of whether it would be beneficial to state that crematories are only allowed when adjacent to cemeteries or a funeral home.

Mr. Olson noted that Rockford has verbiage stating if a business wants to put a crematory in, next to a residential area, the residential neighbors need to sign an agreement, verifying that they are ok with a crematory being put in.

Chairman Emmert recommended verbiage be included to restrict the level of emissions to be allowed at a stricter rate than what the EPA currently allows, to better protect the Village.

A motion was made to recommend to the Board, an Ordinance of Text Amendment to Unified Development Ordinance to confirm permitted use district for Funeral Homes.

Motion made by Chairman Emmert, Seconded by Koning.
Voting Yea: Chairman Emmert, Koning, Pitney

A motion was made to recommend to the Board, to amend the chart in the UDO, under offices, medical and small business section, that a crematory be added as a special permitted use in general business and listing as a special permitted use in agriculture in accordance with the text already found in the UDO.

Motion made by Chairman Emmert, Seconded by Pitney
Voting Yea: Chairman Emmert, Koning, Pitney

A motion was made to recommend to the Board, to amend section 6.06012 of the UDO, to have crematory added to the special permitted uses, in addition to what is already found within the UDO, provided that the crematory is adjacent to and operated in conjunction with a funeral home or cemetery.

Motion made by Chairman Emmert, Seconded by Koning.
Voting Yea: Chairman Emmert, Koning, Pitney

7. NEW BUSINESS

None

8. EXECUTIVE SESSION

None

9. ADJOURNMENT

Meeting adjourned at 6:50pm

Motion made by Pitney, Seconded by Chairman Emmert.

Voting Yea: Chairman Emmert, Koning, Pitney

DRAFT- UNAPPROVED

William D. Emmert, Chairman

Prepared by:
Rachel Windgassen, Administrative Assistant



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Monday, September 25, 2023 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

Chairman Emmert called the meeting to order at 6:10 p.m.

2. ROLL CALL

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

GUESTS PRESENT: Attorney Mary Gaziano, Jason Ackerman, Deputy Clerk Symonds

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

No conflicts disclosed.

4. PUBLIC COMMENT

No request for Public Comment.

5. APPROVAL OF MINUTES

a. Minutes from August 28, 2023

Motion made by Chairman Emmert, Seconded by Booker to approve the minutes of the August 28, 2023 meeting with the spelling correction from Graziano to Gaziano being made. Voting Yea: Booker, Chairman Emmert, Koning, Pitney, Martin

b. May 22, 2023 Public Hearing Minutes

Motion made by Chairman Emmert, Seconded by Koning to approve the minutes of the May 22, 2023. Discussion followed and a correction was noted to the spelling of Mr. Walter's name. Motion to reconsider the previous motion to approve the minutes of the Public Hearing was made by Chairman Emmert, seconded by Mr.

Koning. Chairman Emmert made a motion to approve the minutes as amended, seconded by Mr. Pitney. Voting Yea: Booker, Chairman Emmert, Koning,

Pitney; Abstaining: Martin as he was not on the Zoning Board at the time of the Public Hearing.

6. DISCUSSION

- a. Discussion of property the Winnebago School District is considering to purchase and whether it is considered a "historical" property.

The members briefly discussed the property the Winnebago School District is considering to purchase next to Simon School. Attorney Gaziano will contact President Eubank, as he did have contact with the Winnebago School District's attorney concerning the matter.

- b. Discuss Zoning inconsistencies between WinGis.org and Village of Winnebago Zoning Maps

Chairman Emmert commented on the discrepancy between the Village of Winnebago Zoning map and the zoning classes identified in WinGis.org. Chairman Emmert suggested Mr. Pitney and Mr. Ackerman, as they are both trustees of the Village Board, bring this matter to the Board of Trustees, and to recommend to affirm for the record the Zoning of the properties within the Village of Winnebago according to the Village of Winnebago maps. (1951, 1957, 1984 and 2018).

The committee also discussed the property located at 209 W Main Street, owned by the late Mary J. Hubbartt. A letter dated September 10, 2023, was received at the Village sent by Mr. Bruce Hubbartt, guardian of Mrs. Hubbartt's matters. He requested confirmation of the zoning of this property. Mr. Booker made the motion to recommend the Village Board affirm the zoning for 209 W. Main Street (located at the Northwest corner of Main and Benton) and to schedule a Public Hearing at the next zoning meeting, seconded by Mr. Koning. Voting Yea: Booker, Pitney, Martin; Voting Nay: Chairman Emmert.

- c. Discuss Variance Application - 312 W Main Street - Storage Facility
 Mr. Ackerman withdrew his application for the landscaping variance.

7. NEW BUSINESS

Chairman Emmert informed the Zoning Board members about a telephone call he received in his capacity as the Zoning Board Chairman from Rory Walker representing Turning Point Energy concerning a commercial solar generating facility that the company wants to build at the intersection of Falconer and Kelly Road. Chairman Emmert advised Mr. Walker to contact the County of Winnebago Zoning Department.

8. EXECUTIVE SESSION

9. ADJOURNMENT

Motion made by Chairman Emmert, Seconded by Booker.

Voting Yea: Booker, Chairman Emmert, Koning, Pitney, Martin

Motion carried on a unanimous roll call vote. The meeting was adjourned at 7:08 p.m.

UNAPPROVED

William D. Emmert, Chairman