



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING AGENDA

Tuesday, September 30, 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**
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.](#) Public Hearing Minutes of July 1, 2025
 - b. Zoning Board Minutes from July 1, 2025
 - [c.](#) Zoning Board Minutes from September 2, 2025

6. **DISCUSSION**

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

7. **NEW BUSINESS**

8. **EXECUTIVE SESSION**

9. **ADJOURNMENT**

Posted: September 24, 2025 at 3:30 p.m. at 108 W. Main Street, Winnebago, IL
and online at www.villageofwinnebago.com Tel 815.335.2020 | Fax 815.415-8491

The Zoning Board held a Public Hearing on July 1, 2025, at 5:50 p.m. at the Village Hall 108 W Main Street, Winnebago, Illinois to hear input regarding a Zoning Ordinance/Unified Development Ordinance Text Amendment (On Fence Standards in Residential Districts). The Legal Notice of the Public Hearing was published in the June 13, 2025, edition of The Gazette with the remote attendance to the Public Hearing via the GotoMeeting Link, and the meeting telephone number with the access code were also provided.

Present: Chairman Emmert, Mr. Booker, Mr. Koning. Absent: Mr. Pitney and Mr. Martin.

Guests: Village Attorney Mary Gaziano, resident Michael Swartz, and Building Inspector Aaron Moore (arriving at 5:52 p.m.).

The Public Hearing was called to order at 5:50 p.m.

Chairman Emmert: Deputy Clerk Symonds, would you take the roll for the public hearing, please.

Deputy Clerk Symonds: Booker

Booker: Yes

Deputy Clerk Symonds: Emmert

Chairman Emmert: Yes

Deputy Clerk Symonds: Koning

Koning: Yes

Deputy Clerk Symonds: Pitney (no answer)

Deputy Clerk Symonds: Martin (no answer)

Chairman Emmert: Thank you. We do have a quorum for the Public Hearing. This is a public hearing regarding the proposed text amendment change to the Unified Development ordinance of the village, specifically dealing with fences. Is there anybody appearing remotely, Joey?

Mr. Dienberg: There is none at this time.

Chairman Emmert: There is one person here. Are you here to speak to that matter?

Mr. Swartz (guest): I am just here to observe.

Chairman Emmert: Would you like to speak to, ahh, any ordinance change with respect to the fences, on what you like or what you do not like, what you think it should have?

Mr. Swartz: Yeah, I think, should I state my name?

Chairman Emmert: Yes, if you want to speak, yes. I just wanted to know if you wanted to speak.

Mr. Swartz: Yeah, that is fine.

Chairman Emmert: Please state your name.

Mr. Swartz: My name is Michael Swartz.

Chairman Emmert: Ok, Mr. Swartz, ah, what comments do you have about the village's fence ordinance?

Mr. Swartz: So basically, I am just trying to install a 6-foot privacy fence on my lot. My lot is one on a corner lot of Seward and Winnebago, and umm, because of the current ordinance, ah, the side and rear yard had certain stipulations that won't allow me to put up a 6-foot privacy fence up to the 50% visual needed for that. Also, there is a requirement for no taller than 4 feet. My application was put in to see if we can amend that, to be able to install a 6-foot privacy fence around my entire lot, side, rear, and all the way around.

Mr. Moore arrived at this time

Chairman Emmert: Ok, when you say all the way around the front, would you have attached to the front of the house, or would it extend out towards the road on the front?

Mr. Swartz: Not to the road. It would just go to the middle of my house, which is the back door, that goes to the north of my lot, and that fence would then go from - connect to my house, to my lot line, down to the alley going east, then going south down the alley, and then going, coming back up to my garage, going west.

Chairman Emmert: Ok, and then would you be connecting from your garage to the house?

Mr. Swartz: Absolutely.

Chairman Emmert: At an angle?

Mr. Swartz: Be at a slight angle.

Chairman Emmert: A slight angle. You look, coming from the garage west, and then angle over.

Chairman Emmert: So, you requested the village look at modifying the fence ordinance to allow you to do that.

Mr. Swartz: Absolutely.

Chairman Emmert: Do you have anything else you would like to state?

Mr. Swartz: No, sir.

Chairman Emmert: And, I believe we have the Village Building Inspector (Mr. Moore).

Mr. Moore: Yes, sir.

Chairman Emmert: Ah, do you have some comments you would like to make with respect to the proposed ordinance changes?

Mr. Moore: Umm.

Chairman Emmert: Well, first, yes, or no?

Mr. Moore: Which one are we talking about right now as far as which verbiage?

Chairman Emmert: Any changes to the current ordinance?

Mr. Moore: Currently, yes.

Chairman Emmert: Please state your name.

Mr. Moore: Aaron Moore.

Chairman Emmert: And you are the Village of Winnebago's Building Inspector?

Mr. Moore: And Code Official.

Chairman Emmert: And Code Official, and what comments do you have with respect to the changes that you think should be made to the village's, ah, Unified Development Ordinance, with respect to fences?

Mr. Moore: Yeah, I do not have the verbiage in front of me, but the restriction of having it 50% see through when it abuts a street, umm or it is 10 feet back, and go up 6 feet (hand motion indicating height) seems like it might be more restrictive than it needs to be compared to other towns. We still have a 30-foot sight triangle. Thank you, Joey. (Mr. Dienberg provided Mr. Moore a copy of the verbiage for the proposed amendment) We still have a 30-foot sight triangle setback that would remain in intersections. So, where streets and alleys intersect, you still measure back 30 feet for a sight triangle where the fence, or nothing above 2 1/2 feet, like shrubs or anything like that. They can't be in that sight triangle. We are out of that; it does not interfere with the ability to see left or right when you are making a turn. Umm, and also some clarification on is an alley considered a street or not. To me, it seems like a street, but I could be wrong. So that could change some things on the fences, or typically people's back yards are that they would like to be privacy, that are currently not allowed to be umm, unless they are 10-foot off the back of the property line.

Attorney Gaziano: If I could just make a clarification for the record. Aaron Moore actually works in conjunction with Casper Manheim, who currently is the individual with whom the Village has a contract with, and is the Village Building Official and Code Enforcement Officer, and things are either with him or his designee. This is his son, and they work in conjunction. So, I just wanted to make sure the record was clear, that Casper is still the official of record.

Chairman Emmert: And you were not the Building Official when the UDO was passed, correct?

Mr. Moore: Correct.

Chairman Emmert: But you are an inspector for a number of villages in Illinois?

Mr. Moore: Yes, yup.

Chairman Emmert: With respect to the requirement that no fence greater than 4 feet in height should be constructed in a front yard, my take on that is, it is more of open or green space issue. They would not want a privacy fence to, like, build a fort around the house. Would you agree with that?

Mr. Moore: Yes, I agree, most towns have a 4-foot restriction as well as it being chain-link or split-picket in, past the front of the house to allow visibility. They do not allow solid, privacy or 4-foot or otherwise.

Chairman Emmert: The visibility is more of a green space, how it looks, right?

Mr. Moore: Yes, for in the front yards.

Chairman Emmert: And would you come up here for a second, please. (Mr. Chairman Emmert provided a catalog to Mr. Moore.) This is a catalog that I got from Dach Fence. I am in the process of trying to get a fence, and they have a number of fences here which do have, they call it, spear tops.

Mr. Moore: Ok.

Chairman Emmert: Do you see that?

Mr. Moore: Yeah,

Chairman Emmert: That, as an inspector, do you see anything really dangerous or unsightful about that type of a fence?

Mr. Moore: Personally, they will have verbiage that you cannot have blunt ends on the top, umm, but these are kind of milled over so they are not sharp like a barbed wire would be.

Chairman Emmert: Right.

Mr. Moore: Umm, I do not see too many issues with this. I have not seen a lot of these installed lately.

Chairman Emmert: But, as a building official, you would not have a problem with this type of a fence.

Mr. Moore: No, I wouldn't.

Chairman Emmert: This spear type.

Mr. Moore: Nope, most of these are designed by the manufacturer to not be harmful.

Mr. Booker: Yeah, that is what belongs in a front yard, I think, or street-facing side.

Attorney Gaziano: And Aaron you had a question, is an alley a street?

Mr. Moore: Yes.

Attorney Gaziano: Not as currently defined in the UDO.

Mr. Moore: Ok, so if it butts an alley, that is.

Attorney Gaziano: A street is a public right-of-way which affords the principal means of vehicular access to abutting properties, and whether designated as a freeway, expressway, throughfare, highway, road, parkway, avenue, boulevard, lane, place, circle, cul-de-sac, arterial collector local or otherwise designated, but excepting an alley or driveway to building.

Mr. Moore: Ok.

Mr. Booker: So, an alley is not for the purpose of this specific fence ordinance is not considered the same as a street.

Attorney Gaziano: Correct. Because it is in the UDO, part of the definitions, and the definitions except it out.

Mr. Booker: Good.

Attorney Gaziano: Obviously, doesn't mean it can't change, but that is where it is, and then as long as we are talking about that and definitions, I know that Mr. Booker had raised a question about shrubs. Can they be considered a fence? Fence, as defined in the UDO, is a free-standing structure of metal, masonry, composition, or wood or any combination thereof, permanently installed by being partially buried in the ground and rising above ground level and used for confinement, screening, or partition purposes. So, it is either metal, masonry, composition, or wood, or any combination thereof.

Mr. Booker: Ok.

Chairman Emmert: Aaron, do you have anything else that you would like to add?

Mr. Moore: Ahh, no, not at this time.

Chairman Emmert: Has anybody appeared remotely yet, Joey?

Mr. Dienberg: No.

Emmet: Ahh, I think all the testimony we received has already been on, received tonight, I would look for a motion to adjourn the public hearing, then we can go into our Zoning.

Chairman Emmert: Motion by Irv (Mr. Koning),

Mr. Booker: Second.

Chairman Emmert: Seconded, any opposed to that motion?

There was no opposition to the motion.

Chairman Emmert: Please enter that the motion passed by a unanimous vote of all persons present. The Public Hearing is closed.

Meeting adjourned at 6:00 p.m.

UNAPPROVED

Kellie Symonds, Deputy Clerk
Prepared from Recording



VILLAGE OF WINNEBAGO

ZONING BOARD MEETING MINUTES

Tuesday, September 02, 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. ROLL CALL

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

GUESTS: Attorney Mary Gaziano, Village Administrator Joey Dienberg, and Deputy Clerk Kellie Symonds

ABSENT: Riley Pitney

2. CALL TO ORDER

The meeting was called to order at 6:00 pm

3. DISCLOSURE OF ANY CONFLICT OF INTEREST

None

4. PUBLIC COMMENT

None

5. APPROVAL OF MINUTES

a. Zoning Board Minutes from July 2, 2025

Not discussed

b. Public Hearing Minutes of July 2, 2025

Not discussed

6. DISCUSSION

a. Unified Development Ordinance - Table 6.2 Land Use

Mr. Dienberg gave a summary of prior discussions that were had regarding Table 6.2 Land Use in the UDO. CHAIRMAN EMMERT stated that he had previously discussed options of how to fill in the table properly with Mr. Dienberg and suggested that staff fill out the table and then the Board would make recommendations and changes based on the completed table. BOOKER questioned if once the table was properly filled out, if the Board of Trustees would be looking for a recommendation to

adopt and substitute the current table. Attorney Gaziano confirmed that the changes would be adopted and implemented into the UDO, replacing the current table.

CHAIRMAN EMMERT stated that he would like to specifically notate to the Board of Trustees which changes are unanimous versus having a split vote, so that the Board of Trustees will have a better idea of where the Zoning Board, as a whole and individually, stand on the individual changes, so that they may make a more informed decision.

Mr. Dienberg questioned if the Zoning Board would like niche categories stricken from the table all together (the example of a correctional facility was given), so that they have the ability to have a more in-depth conversation on those specific types of land usage. BOOKER questioned if there was a template or guide that staff could use to help guide where the categories for land use should be placed. CHAIRMAN EMMERT suggested that staff look to other sections of the UDO to help determine where things should go. Mr. Dienberg clarified that if a category was not listed on the table that it was assumed to be prohibited, unless given a special permitted use or the table was amended at a later date.

b. Zoning Change for 9714 Cunningham Road

Mr. Dienberg gave an overview on the request for annexation from the owner, Shannon DeWitt, of 9714 Cunningham Road, which is contiguous with the west and south Village limits. Mr. Dienberg noted that district 7 (limited agriculture) was deemed the most appropriate zoning for the dwelling, with mention that Mr. DeWitt has already paid the fee to request a zoning change. Mr. Dienberg also mentioned that there is nothing actionable for this item at this meeting, but rather wanted to make sure there was a chance for the Board to get background information prior to a public hearing. KONING asked MARTIN if he would have any concern for the intended bee keeping done at the property in question as MARTIN's property is adjoining. MARTIN noted that he personally does not have any concerns with Mr. DeWitt's bee keeping since the hives are generally very docile. CHAIRMAN EMMERT asked about having time to review the application, prior to the public hearing. Mr. Dienberg noted that the intent

was to schedule the public hearing prior to the next zoning meeting since the owner has already paid the zoning request change fee.

BOOKER made a motion to schedule a public hearing to consider the annexation of 9714 Cunningham Road on September 30, 2025 at 5:50pm, seconded by KONING. Motion passed by unanimous vote.

c. Zoning Change for 106 Kasch Drive

Mr. Dienberg gave an overview on the request for a zoning change at 106 Kasch Drive, which is owned by the Village. Mr. Dienberg stated that the Village initiated the request, based on the ongoing negotiations to sell the property. He mentioned that the current zoning for the surrounding areas includes general business to the west and north of the property and general industrial to the east and south of the property. Mr. Dienberg notes that he is not currently at liberty to discuss any specifics at this time, but once a contract is signed with the potential buyer, he will be able to disclose the user and specific purpose. Mr. Dienberg is requesting, on behalf of the Village, that 106 Kasch Drive be zoned general industrial, so that it is more marketable. Attorney Gaziano noted that the Village is not in the habit of buying property but rather received this land as part of a settlement with Mantle Development.

CHAIRMAN EMMERT questioned if it is part of the application process to provide an aerial view of the property in question, or at least a drawing. Mr. Dienberg stated that those are typically only required if a request is made for a building to be put on a piece of property. KONING noted that since this property is not yet under contract, it would be premature to have a drawing at this time, but that a snippet from WinGIS would be beneficial. Mr. Dienberg stated that for future applications, he would make sure that the aerial view from WinGIS was included. Attorney Gaziano clarified that for this zoning map, we do not have an application because it is Village owned property.

7. NEW BUSINESS

None

8. EXECUTIVE SESSION

None

9. ADJOURNMENT

Motion to adjourn made by Chairman Emmert, Seconded by Martin. Voting Yea: Booker, Chairman Emmert, Koning, Martin, motion passed by unanimous vote.

Meeting adjourned at 6:28pm

Prepared by: Rachel Windgassen
From Recording

Reviewed by W.E. 9/22/25, J.D. 9/18/25



Agenda Item Executive Summary

Item Name ZONING CHANGE REQUEST AND ANNEXATION AGREEMENT FOR 9714 CUNNINGHAM ROAD (PIN 14-16-200-003) Committee or Board Zoning Board

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

Mr. DeWitt has submitted a request to annex his property at 9714 Cunningham Road (PIN 14-16-200-003) into the Village of Winnebago and seeks a zoning designation of District No. 7: Limited Agricultural. The property is currently zoned as Winnebago County Agriculture and is served by a private well and septic system. The annexation would be subject to an agreement requiring connection to Village water and sewer systems if the existing systems fail. Mr. DeWitt intends to construct an outbuilding and engage in small-scale agricultural activities, including wildflower cultivation and apiculture, under Village zoning regulations. The zoning change and annexation align with the Village's Comprehensive Plan and development standards. A public hearing is scheduled for September 30, 2025, at which time formal Findings of Fact will be considered, and a recommendation will be made to the Village Board.

ATTACHMENTS (PLEASE LIST)

Staff Memo, Application

ACTION REQUESTED

- ☒ For Discussion Only
☐ Resolution
☐ Ordinance
☐ Motion:

MOTION:

Staff: Joey Dienberg, Village Administrator Date: 09/30/2025



VILLAGE OF WINNEBAGO

MEMORANDUM

Prepared By:	Joseph Dienberg, Village Administrator
To:	Planning and Zoning Commission
Date:	9/30/2025
Subject:	Zoning Change for 9714 Cunningham Road (PIN 14-16-200-003)

Request

The Village of Winnebago has received an annexation request from Mr. DeWitt regarding his property located at 9714 Cunningham Road, identified as PIN 14-16-200-003. The property is presently zoned Winnebago County Agriculture. Mr. DeWitt seeks annexation into the Village of Winnebago through an annexation agreement and requests zoning designation as District No. 7: Limited Agricultural.

Background

Mr. DeWitt has been working with Village staff and the Village President on the terms of an annexation agreement. The property is currently served by private well and septic systems. The applicant understands that, should either system fail, connection to Village water and sewer will be required at that time.

Mr. DeWitt has expressed a desire to annex into the Village in order to construct an outbuilding consistent with the Village’s Unified Development Ordinance (UDO). His agricultural activities include raising wildflowers and pursuing apiculture. Annexation would subject the property to Village building codes and zoning regulations, ensuring development standards are maintained.

Site Information

- **Property Address:** 9714 Cunningham Road
- **Parcel Number:** 14-16-200-003
- **Current Zoning:** Winnebago County Agriculture
- **Requested Zoning:** District No. 7 – Limited Agricultural



- **Surrounding Zoning:**

- **East:** Residential (Village); **South:** Residential (Village); **West:** Unincorporated (County); **North:** Unincorporated (County)

Findings of Fact 18.04.04(e) (Draft for ZBA Consideration)

In making its determination, the Zoning Board of Appeals shall consider the following findings as required by the Village's Unified Development Ordinance:

1. That the proposed amendment promotes the public health, safety, comfort, and general welfare of the Village.
2. That the proposed amendment conserves the value of adjacent property and does not unreasonably diminish property values within the surrounding area.
3. That the proposed amendment is consistent with the goals and objectives of the Village's Comprehensive Plan.
4. That the proposed amendment is reasonable in response to changing conditions and the existing character of the area.
5. That adequate public utilities, road access, drainage, and other facilities are either existing or will be provided to serve any development occurring on the property.

Next Steps

This report is for informational purposes only. A public hearing on the annexation and zoning request will be scheduled for the next available Planning and Zoning Commission meeting on **September 30, 2025**. At that time, the Commission may adopt formal Findings of Fact and make a recommendation to the Village Board for final action. The Village Attorney will prepare the annexation and zoning ordinance for consideration.

ZONING APPLICATION

Village of Winnebago



PLANNING & ZONING BOARD

Phone: (815) 335-2020 ▪ Fax: (815) 415-8491
108 W. Main Street, Winnebago, Illinois 61088

It is recommended that a pre-application conference be held to ensure that all applicable information is provided, and the application is filled out correctly.

Please call 815-335-2020 to schedule a pre-application conference.

Delays in obtaining a public hearing date may result from an incomplete and errant application submission.

FEE SCHEDULE

Land Use (Zoning Development) Applications

Zoning Map Amendment (Zoning Change)	* \$400.00 plus, \$10.00 per acre or part of, plus professional fees
Special Use Permit:	* \$450.00 plus, \$20.00 per acre or part of, plus applicable professional fees.
Variance:	* \$350.00, plus applicable professional fees
Planned Residential Development:	* \$450.00, plus \$20.00 per acre or part of, plus applicable professional fees
Appeals:	\$250.00, plus applicable professional fees
Text Amendment/Future Land Use Plan Amendment:	\$400.00, plus applicable professional fees

ADDITIONAL FEES

Any fees born because of a report and/or publication required by State Law for the above noted zoning procedures shall be the responsibility of the Applicant.

The above noted fees are NOT inclusive of any other fees that may result from other required permits (i.e. Building permit, zoning clearance permit, sign permit or health permit, etc.)

Based on the complexity of the application and subsequent review required, in addition to the listed fees below at the Village of Winnebago's sole discretion applicants may be responsible for additional professional fees incurred by the Village of Winnebago during the application process, including but not limited to engineering, legal or planning review fees.

NOTICE FOR ALL PETITIONS

* When work is commenced prior to obtaining the required "Land Use (Zoning Development) Application(s)", the established fees shall be increased by 50%. The payment of such fee shall not relieve any person from fully complying with the requirements of the Village of Winnebago's Unified Development Ordinance 2019-14 and any applicable amendments, nor from the penalties prescribed with the Unified Development Ordinance, as stated in Article 4.04 and any other applicable portions of the Unified Development Ordinance.

REQUIRED APPLICATION MATERIALS

The following materials must be submitted to the Planning and Zoning Department before a Public Hearing can be scheduled. Incomplete applications cannot be processed.

-
- ☐ Application Form
 - ☐ Application Fee
 - ☐ Legal Description
-

Project Drawings:

- ☐ Preliminary or Final Site Plan (1 copy). Include project data [i.e., building area, land area, setbacks, coverage, parking and landscaping calculations, etc.]. The information required will vary depending on the type of request being made. However, all site plans should be drawn to scale and be accurate to the best of the petitioner's ability.
 - ☐ Preliminary or Final Engineering
 - ☐ Floor Plans
 - ☐ Building Elevations
 - ☐ Landscape Plan (indicate species, plant location, quantity, size, spacing, and easement/utility locations)
 - ☐ Sign elevations
-

Other Documents:

- ☐ A detailed written statement explaining the reason for the request.

The Zoning Board of Appeals and Village Board base their decisions on the standards listed below. It is in the best interest of the applicant to base their presentation on the applicable set of standards when presenting their petition.

- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals, along with an additional written statement detailing the nature of the proposed use if this application is for a **SPECIAL USE PERMIT**, pursuant to Unified Development Ordinance Article 14.03:
 - a. The proposed use at the specified location is consistent with the goals, objectives, and policies of the Comprehensive Plan;
 - b. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations and complies with requirements of the Article;
 - c. The proposed Special Use is not materially detrimental to the public health, safety, comfort, and general welfare, and will not result in material damage or prejudice to other property in the vicinity;
 - d. The proposed use is compatible with, and preserves or enhances, the character and integrity of adjacent development, and includes improvements necessary to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods;
 - e. The proposed use does not generate pedestrian and vehicular traffic that will be hazardous to the existing and anticipated traffic in the neighborhood;

- f. The proposed Special Use complies with all fire, health, building, plumbing, electrical, and stormwater drainage regulations of the Village, County, State and Federal agencies; and
 - g. Adequate utilities exist to service the proposed Special Use.
- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals, along with an additional written statement describing the specific nature of the proposed variation and the practical difficulty and perceived hardship resulting from a strict and literal interpretation of a specified regulation of this chapter if this application is a request for a VARIATION, pursuant to Unified Development Ordinance Article 15.03 et seq.

15.03 (3) Variances & Findings of Fact

- a. That there are special circumstances, applying to the land or buildings for which the variance is sought, which circumstances are peculiar to such land or buildings and do not apply generally to land or buildings in the vicinity;
 - b. That said circumstances are such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or buildings;
 - c. That the variance as granted by the Zoning Board of Appeals is the minimum variance that will accomplish the reasonable use of land or building in question;
 - d. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
 - e. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that district.
 - f. The extraordinary or exceptional conditions of the property, requiring the request for the variance, were not caused by the petitioner.
 - g. The proposed variance will alleviate a peculiar, exceptional, or undue hardship, as distinguished from a mere inconvenience or pecuniary hardship.
 - h. The denial of the proposed variance will deprive the petitioner the use of his/her property in a manner equivalent to the use permitted to be made by the owners of property in the immediate area.
 - i. The proposed variance will result in a structure that is appropriate to and compatible with the character and scale of structures in the area in which the variance is being requested
- ☐ Applicant should respond to the following statements while presenting his or her request to the Zoning Board of Appeals for a ZONING DISTRICT CHANGE / ZONING MAP AMENDMENT, pursuant to Unified Development Ordinance 18.04.
- a. Legal owners of the property(s) to be rezoned. If the property is held in an Illinois Land Trust, a Statement of Beneficial Interest is also required;
 - b. Legal Description of the property(s) to be rezoned;
 - c. Common street address of property(s) to be rezoned;
 - d. Size of property (in square feet or acres);
 - e. Current zoning of property;
 - f. Requested zoning of property;
 - g. Narrative description of the reasons for requested rezoning;
 - h. Estimated impact of rezoning on surrounding neighborhood;
 - i. Vicinity map showing the area to be rezoned

PROCEDURE CHECKLIST FOR APPLICANT USE

- ☐ Prospective applicant obtains application packet from Village Office. Blank applications may be faxed or mailed upon request or downloaded off the Winnebago Village website at <http://www.villageofwinnebago.com>. All pages of the application packet should be read thoroughly at this time. If necessary, Village Office personnel will explain procedures and fees involved.
- ☐ Pre-Application Conference: It is recommended that the applicant contact the Village Office to schedule a time to review the application to ensure that it is complete and includes all applicable materials.
- ☐ Applicant submits completed zoning application, along with site plan, written statement (when applicable), other required materials and the appropriate fee. Zoning Board will review submitted materials for completeness. Applications are then scheduled for a public hearing before the Zoning Board of Appeals.
- ☐ Applicant must contact the Soil and Water Conservation District (SWCD) office directly and make proper application for Zoning Letter and/or Natural Resource Information (NRI) Report. If necessary, SWCD personnel will explain procedures and fees involved. Zoning applications are not complete until SWCD Natural Resource Information (NRI) Reports are properly applied for. Zoning requests will not be scheduled for a public hearing unless a completed NRI Report is forthcoming.
- ☐ The "Endangered Species Act" entitles the Illinois Department of Natural Resources (IDNR) to review zoning, special use, and variation applications for their impact on endangered or protected species. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the IDNR, at 5224 South Second Street, Springfield, IL 62701-1787. Additional information can be obtained about this process via the internet address: <http://dnrecocat.state.il.us/ecopublic/>. If you have any questions or comments about endangered species consultation process, you can send an email to DNR.EcoCAT@illinois.gov
- ☐ The "National Historic Preservation Act" entitles the Illinois Historic Preservation Agency to review zoning, special use, and variation applications for their impact on cultural or historical resources. Illinois law allows thirty (30) days for their response. The applicant is responsible for contacting the Illinois Historic Preservation Agency at (1-217-782-4836).
- ☐ A Notice of Public Hearing is printed in the local newspaper no less than 15 days, nor more than 30 days before the date of public hearing. See fee schedule for applicable fee (Page 4).
- ☐ The subject property is posted with a notice sign prepared by Village Office personnel summarizing pertinent case information and the scheduled Zoning Board of Appeals hearing date no less than 15 days before the public hearing.
- ☐ Property owners surrounding the subject property are notified by mail, approximately 15 days before the date of public hearing, provided by Village Office staff summarizing pertinent case information and the scheduled Zoning Board of Appeals hearing date. Other appropriate agencies are also notified at this time. Note that adjoining property owners may legally protest map and text amendments, which may necessitate a super majority vote of the Village Board to approve a petition.
- ☐ Village Office staff review application and submit written staff report to the Zoning Board of Appeals and to the Village Board. Applicant is mailed a copy of this written staff report provided by Village Office staff, usually about 1 week before the date of public hearing.
- ☐ Zoning Board of Appeals (ZBA) conducts a Public Hearing, normally at their regularly scheduled meeting of each month. The applicant or an authorized agent must appear to present pertinent

information and provide testimony under oath. No less than 6 copies of any handouts or exhibits should be made available for ZBA members and staff. One copy will be kept and added to the file as an exhibit(s). Be aware that delays may occur as public hearings can extend to additional Board meetings and may include multiple or returning speakers. The Board deliberates and provides its recommendation based on findings of fact. Unsupportive ZBA recommendations can affect the voting considerations of the Village Board.

- ☐ Zoning Board of Appeals public hearing minutes are transcribed and distributed to Village Board members, usually about 1 week after the close of public hearing. Copies of minutes are available to applicants' following approval of said minutes by the Zoning Board of Appeals. The minutes of the Zoning Board of Appeals public hearing are normally approved the following month.
- ☐ Pertinent case information and ZBA recommendation is presented to Village Board for it's consideration, layover, and decision, usually within 4 weeks after the ZBA provides its recommendation.
- ☐ Individual ordinances for each approved application are signed, certified, and processed through the Village Clerk.

PLANNING & ZONING MAPPING APPLICATION

Applicant Information

Name: SHANNON DEWITT

Address: 9714 CUNNINGHAM RD. WINNEBAGO, IL 61088

Phone: 815-541-2030

Email: SHANNON DEWITT 150@GMAIL.COM

Owner Information

Name: SAME

Address: _____

Phone: _____

Email: _____

Action Requested

- | | |
|---|---|
| ☐ Zoning Map Amendment (Zoning Change) | ☐ Planned Unit Development (PUD) |
| ☐ Special Use Permit | ☐ Appeal |
| ☐ Variation | ☐ Text Amendment |
| ☐ Future Land Use Plan Amendment | |

Detail of Request: ANNEXATION INTO VILLAGE UNDER DISTRICT 7

Legal Description: (attach a separate sheet if necessary) 660' E 352' TH N 660' TO POB
PT NE 1/4 SEC 16 TWP 02N RANGE 011 ACRES S.33

PIN Number(s): 14-16-200-003

Current Zoning District: COUNTY AG

Lot Size: S.33 acres, or _____ square feet

Please indicate the township the subject property is located in (circle):

Burritt Durand Harrison Owen Pecatonica Rockford Seward Winnebago

Please indicate whether the subject property is located within 1.5 miles of any of the following incorporated municipalities (circle all that are applicable):

Durand Pecatonica Rockford Winnebago None Other _____

Adjacent Properties (provide as a separate sheet if necessary)

NORTH:

PIN Number(s): 14-09-476-002 / 14-09-476-003 ATTACHED

Property Owner(s): SAVIER MILLAN / MARK JENKINSON

Mailing Address(s): 9733 CUNNINGHAM / 9709 CUNNINGHAM

Land Use: _____

EAST:

PIN Number(s): _____

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

SOUTH:

PIN Number(s): _____

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

WEST:

PIN Number(s): _____

Property Owner(s): _____

Mailing Address(s): _____

Land Use: _____

Adjacent Properties

North:

1.) Javier Millan
9733 Cunningham Rd.
Winnebago, IL 61088
pin: 1409476002

2.) Mark Jenkinson
9709 Cunningham Rd.
Winnebago, IL 61088
pin: 1409476003

West:

1.) Brian and Deanne Smock
810 Greenlee Ave.
Winnebago, IL 61088
pin:1416204005

2.) [REDACTED]
[REDACTED]
Winnebago, IL 61088
pin:[REDACTED]

3.) Philip and Brieanna Salamone
814 Greenlee Ave.
Winnebago, IL 61088
pin:1416204007

4.) Cynthia Erb
816 Greenlee Ave.
Winnebago, IL 61088
pin:1416204008

5.) Dale and Andrea Hamilton
818 Greenlee Ave.
Winnebago, IL 61088
pin:1416204009

Southwest:

1.) Joshua and Sarah Britt
820 Greenlee Ave.
Winnebago, IL 61088
pin:1416204010

South:

1.) John Kim
904 Jessica Tr.
Winnebago, IL 61088
pin:1416227010

2.) Michael and Kirsten Garrigan
906 Jessica Tr.
Winnebago, IL 61088
pin:1416227011

3.) Joyce Hanson
908 Jessica Tr.
Winnebago, IL 61088
pin:1416227001

East:

1.) Richard Harle
9668 Cunningham Rd.
Winnebago, IL 61088
pin:1416200004

Development Team (please include phone, fax, email and mailing address for any that apply).

Project Manager: _____

Developer: _____

Attorney: _____

Engineer or Surveyor: _____

Other: _____

Adjacent Properties (provide as a separate sheet if necessary)

I, the applicant(s), of the above legally described property on which the above action is requested, provided answers to the questions herein that are true to the best of my knowledge. The property owner(s) of the above legally described property on which the above action is requested, is aware or will be informed about the request made herein.

By virtue of my application for the above action, I do hereby declare that the appropriate Village staff, appointed, and elected officials responsible for the review of my application are given permission to visit and inspect the subject property for the above requested action in order to determine the suitability of the request.

Applicant(s) Signature: Shawn I. Witt Date Signed: 08-18-2025_____
Date Signed: _____Owner(s) Signature: Shawn I. Witt Date Signed: 08-18-2025_____
Date Signed: _____STAFF SIGNATURE: Joe Pienberg Date Signed: 08-27-2025**NOTES:**

- If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.
- If the applicant is a corporation, provide as a separate attachment, a statement verifying the correct names and addresses of all officers and directors of the corporation and all of the stockholders or shareholders owning an interest in excess of 20% of all the outstanding stocks or shares of the corporation.
- If the applicant is a partnership, joint venture, syndicate, or unincorporated voluntary association, then provide as a separate attachment, a statement verifying the correct names and addresses of all partners or members of the partnership, joint venture, syndicate, or unincorporated voluntary association.

TO BE COMPLETED BY STAFFPre-Application Meeting Date: 8-27-2025Application Date: 08-27-2025Staff Attending: Joey Pienberg

Hearing Date: _____

Fee Paid: \$ 400.00

Village Board Meeting Date: _____

Receipt # CC20015841

It is recommended that you notify your township of the Map or Text Amendment, Special Use Permit, or Variation you are applying for. Please complete the form on the following page, and mail it, along with a site plat, to the Township Supervisor for the Township in which the subject property is located.

TOWNSHIP SUPERVISORS

Burritt Township

Burritt Township Supervisor 2568
N. Weldon Rd.
Winnebago, IL 61088

Durand Township

Durand Township Supervisor 209
E. South St.
Box 474
Durand, IL 61024

Rockford Township

Rockford Township Supervisor
2615 Green Apple Lane
Rockford, IL 61107

Pecatonica Township Pecatonica
Township Supervisor 328 E. 9th St.
Pecatonica, IL 61063

Seward Township

Seward Township Supervisor
4130 S. Pecatonica Rd.
Winnebago, IL 61088

Winnebago Township

Winnebago Township Supervisor
7952 Towermont Dr.
Rockford, IL 61102

TOWNSHIP NOTIFICATION OF VILLAGE OF WINNEBAGO ZONING PETITION

I, SHANNON DEWITT (Name of Applicant) am petitioning the Village Of Winnebago for a:

☒ Zoning Map Amendment from District # COUNTY AG To District # 7

☐ Special Use Permit For _____

_____, in District # _____

☐ Variation In _____ from _____

A distance/size of _____ to _____, in District of _____

the subject property is located at: 9714 CUNNINGHAM RD.
(street address)

the P.I.N. Number(s) is: 141620003

the size of the property is 5.33 acres, or _____ sq. ft.

Proposed use for the subject property: RESIDENTIAL, AGRICULTURAL

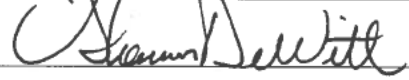
Contact Information:

Name: SHANNON DEWITT

Phone Number: 815-541-7030

Email Address: ROOKIE07@HOTMAIL.COM

Address: 9714 CUNNINGHAM RD.

Signature:  Date: 08-27-2025

Please attach a copy of your site plan

CONTACT INFORMATION: _____

PHONE NUMBER: _____ FAX: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

WINNEBAGO COUNTY SOIL AND WATER CONSERVATION DISTRICT

4833 Owen Center Rd.
Rockford, IL 61101-6007

P: (815) 965-2392, Ext. 3
Website: www.winnebago-swcd.org

Open Mon-Fri 8am-4:30pm

Required Information for Natural Resource Inventory Reports and Zoning Letters.

Incomplete applications will not be processed.

Date: 08-25-2025

(Office use) REPORT # _____

Zoning application filed with: (The report will be sent to the office indicated below by the SWCD Office)

☐ Rockford ☐ Loves Park ☐ Machesney Park ☐ Cherry Valley ☒ Village of Winnebago

Location of subject property: 9714 CUNNINGHAM RD. WINNEBAGO, IL 61088
(Street address)

PIN #: 14-16-200-003 Total Acres: 5.33 Current Zoning: AG

Project or Subdivision Name: _____

Contact Information for Applicant/Petitioner:

(The SWCD Office will send a copy of the report to this listed applicant)

Name: SHANNON DEWITT

Address: SAME AS ABOVE

Phone #: (815) 541 - 2030

Email: ROOKIE07@HOTMAIL.COM

Contact Information for owner

☐ Check if a copy is to be mailed to the owner

Name: SAME

Address: _____

Contact person (if different than applicant):

Name: _____ Phone: (____) _____ - _____

Company (if applicable): _____

Address: _____ Email: _____

Type of Request: (Check the one that applies and describe the request in detail)

☐ Change in Zoning from _____ to _____

☐ Variance: _____

☐ Special Use Permit: _____

☒ Other: ANNEX TO VILLAGE OF WINNEBAGO

Date of Public Hearing: (if known) _____

Proposed Improvements: (Check all that apply)Planned Structures:

- ☐ Dwelling w/ Basement
☐ Dwelling w/o Basement
☐ Commercial Building
☒ Other STORAGE BUILDING

Open Space:

- ☐ Parks/Playground Area
☐ Common Open Space
☐ Other _____

Water Supply

- ☐ Individual/Private Well
☐ City/Community Water

Wastewater Treatment:

- ☐ Private Septic System
☐ City/Community Sanitary System

Storm Water Treatment:

- ☐ Drainage Ditch/Swales
☐ Storm Sewers
☐ Dry Retention Basin
☐ Wet Retention Basin
☐ None
☐ Other _____

Other Improvements Not Listed Above: (Please describe in detail below)

ANNEX INTO VILLAGE AND BUILD 40x80 STORAGE BUILDING**Existing Site Characteristics:** (Check all that apply)

- ☐ Ponds/Lakes ☐ Floodplain/way ☐ Woodland ☐ Drainage Tile ☐ Building(s)
☐ Streams/Rivers ☐ Wetland(s) ☐ Cropland ☐ Disturbed Land ☐ Other CRP

FILING DEADLINE

Any person who petitions any municipality or county agency in the District for variation or amendment from that municipality's or county's zoning ordinance or who proposed to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the District **no less than 10 days prior** to the regularly scheduled meeting of the District.

I (we) understand the filing of this application allows an authorized representative of the Winnebago County Soil and Water Conservation District to visit and conduct any necessary on-site investigations on the site which is described above. It is also understood that through this request I am giving the Soil and Water Conservation District permission to provide NRCS Wetland Inventory Information on my land in regards to the Natural Resource Information Report. I understand that this report becomes public knowledge once accepted by the District Board of Directors and may be shared with other public bodies or units of government. Completions of this report may require 30 days as allowed under State Law.

(Petitioner)

08-25-2015
(Date)

This report is used as a guide in making land use decisions and does not preclude further refinement of soil type boundary lines during more detailed on-site investigations. Interpretations are based on criteria established by the National Soils Handbook (USDA-Natural Resource Conservation Service) and are subject to change by this office and appropriate county agencies.

FEES:Zoning Letters:

- Resource Concern Letter - \$100
- No Impact Letter - \$50

Natural Resource Inventory (NRI) Report:

- Ag Zoned Land - \$ 400 (0-5 acre)
 - \$20/additional acre 5-100 acres
 - \$15/additional acre 100-200 acres
 - \$10/ additional acre >200 acres
- Vacant Land - \$250 (0-5 acre)
 - \$10/additional acre over 5 acres

Optional: EcoCAT Information Only Report - \$35**ACCEPTED FORMS OF PAYMENT:**

- Cash
- Check made payable to:
Winnebago County SWCD

****A fee of \$25.00 will be charged for each returned check****

- Credit/Debit card or eCheck *Service fees apply (Illinois E-Pay through the SWCD website at www.winnebagoswcd.org).



Winnebago SWCD fee determination are final. Reports will not be completed without payment.

The Winnebago County Soil and Water Conservation District is an equal opportunity employer. All programs and services are offered without regard to race, color, national origin, religion, sex, age, marital status, or handicap.

