

The Zoning Board of the Village of Winnebago met at 7:00 p.m. with Chairman Charles Van Sickle presiding.

ROLL CALL

COOK – EMMERT – EUBANK – KONING – VAN SICKLE: present

MEDEARIS: absent

Guests: Attorney Mary Gaziano, Todd Weegens, Alta Straley, Steve Straley, and Lori Schultz

There was no disclosure of any conflict of interest. There was no public comment.

A motion was made by Bill Emmert, seconded by Frank Eubank to approve the Zoning Board Minutes from November 28, 2016. The motion was carried on a voice vote of those present.

CHAIRMAN Van Sickle stated that Attorney Gaziano drafted an ordinance to modify the Zoning Ordinance. Attorney Gaziano stated that she emailed the draft to the Board members previous to the meeting and informed the Board that Mr. Emmert has provided suggested changes. Attorney Gaziano distributed the changes prepared by Mr. Emmert to the Board. Mr. Emmert pointed out that the proposed changes to the Zoning Ordinance District No. 5 - Light Industrial should specifically pertain to existing buildings within the Village, the intent is not to erect new buildings in residential areas that may be zoned District No. 5. Mr. Emmert stated that the language provided by Attorney Gaziano regarding not being able to see, hear, smell, or feel vibration from the property and that onsite parking only be permitted should remain in the drafted ordinance. Mr. Emmert asked Mrs. Straley what the driveway is covered with. Mr. Straley answered that the surface is black milled asphalt. Mr. Eubank pointed out that if the business owner intends to park his vehicle or other vehicles in the driveway it will require pavement, per the Zoning Ordinance.

CHAIRMAN Van Sickle questioned why the proposed ordinance contains language to remove the "Special Use Permit" section from Section IV – Supplemental Regulations of the Zoning Ordinance, if it is removed in its entirety there is language that will be removed that needs to remain in the ordinance. Attorney Gaziano replied that the new language in the proposed ordinance directs the issuance of a permit, which is not in the language in the Zoning Ordinance. CHAIRMAN Van Sickle requested that the section not be removed in its entirety. Attorney Gaziano replied that the necessary language will remain.

Mr. Emmert questioned the zoning of another piece of property, stating that it may possibly need to be rezoned as the property is no longer being used as it was originally intended. Mr. Eubank stated he will speak with the property owner regarding a zoning change.

Mr. Eubank made a motion to recommend that the discussed changes be incorporated in the proposed Ordinance Amending the Zoning and Building Code and that a re-drafted of

the proposed ordinance be provided by Attorney Gaziano, seconded by Mr. Koning. The motion was carried on a voice vote of those present.

Attorney Gaziano stated that she will make the suggested changes to the proposed ordinance and email a clean and redline copy to the Board members by February 28, 2017. Mr. Eubank stated that the Board members will have (1) one week to review the proposed ordinance and reply to Attorney Gaziano if they have suggested changes. Attorney Gaziano also stated she will prepare the advertisement for the newspaper to schedule the Public Hearing. Mr. Weegens stated that if the proposed ordinance is passed it will need to be added to the Unified Development Ordinance.

There being no further business to present, upon motion by Frank Eubank, seconded by Randy Cook, and passed unanimously, the meeting was adjourned at 7:43 p.m.

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Charles Van Sickle, Chairman