

The Planning & Zoning Board of the Village of Winnebago met for a Public Hearing by remote meeting via GoToMeeting with Village President Eubank at the Village Hall, as allowed by the Executive Orders of the Governor of Illinois.

The meeting opened at 6:45 p.m. with the meeting be called to order at 7:00 p.m.

Zoning Board members present were MR. VAN SICKLE, MR. BOOKER, MR. EMMERT, MR. EUBANK, MR. KONING, MR. MCDOUGALL, guests Attorney Gaziano.

Attorney Gaziano stated the purpose for the Public Hearing which was for the requested variances for the property located at 312 W Main Street, at the Corner of Swift and Main Streets in Village of Winnebago (P.I.N. 14-08-431-001). The property is owned by Jason and Teresa Ackerman.

Attorney Gaziano stated that the notice was published in the newspaper, and notice was given to all property owners with 250 ft of 312 W. Main Street. The variances to be discussed include: 1) Material to be utilized for the driveway/access on site; 2) parking stall minimum, and 3) landscaping requirements.

The petitioners were not present. MR. EUBANK contacted them by cell phone to confirm they had the correct remote meeting information and suggested keeping the Public Hearing open until 7:05 p.m. Given that there was no one present to provide testimony it was thought there may have been some confusion with the connecting to the correct remote meeting link by the petitioners. Therefore, MR. EUBANK suggested closing the Public Hearing and connect to the Regular Planning & Zoning Board meeting which has a different meeting identification number and call-in number. The meeting was ended at 7:06 p.m. and moved the regular Zoning Board Meeting.

The Public Hearing was re-opened at 7:30 p.m. with Jason and Teresa Ackerman joining the meeting.

Attorney Gaziano gave instruction as to the process of the Public Hearing, and the meeting the requirements and sworn testimony needed to grant the variances both statutorily and according to the Village's Unified Development Ordinance (Ord # 2019-14). She recommended the continuance of the Public Hearing due to any confusion. Attorney Gaziano stated that the notification to the newspaper or the letters to the property owners within 250 feet of Ackerman's property legally would not need to be provided again.

MR. EMMERT suggested that a courtesy notice be given to the neighbors regarding the continuation of the Public Hearing and asked that the Public Works Director attend the meeting in person or by phone.

MR. EMMERT made the motion to continue the Public Hearing to October 25, 2021 at 6:55 p.m., seconded by MR. EUBANK. Discussion followed regarding the request for those to appear at the Public Hearing for their testimony. Attorney Gaziano stated she would provide the

courtesy notification to the property owners and to get the Public Works Director here. She also stated that it is the burden of the petitioners if they feel someone needs to be present. It is not the Village's obligation.

MR. EUBANK clarified the instructions to Jason and Teresa Ackerman regarding the continuation of the Public Hearing to provide the testimony to support their request for each of the variance applications submitted. Mr. Ackerman stated that opinions were offered by previous zoning board member at other meetings. MR. EUBANK stated to Mr. Ackerman that he can use minutes of previous minutes for his testimony. Attorney Gaziano clarified that testimony may include presentation of documents and calling of witnesses by the petitioner. Mr. Ackerman indicated that the variances are more complex than what he expected. MR. EUBANK informed Mr. Ackerman that he can contact Kellie Symonds to help him locate recordings or minutes if he needed. Mr. Ackerman asked what if it is not in the minutes? MR. EUBANK stated that his question can be addressed at later and stated that the testimony is not being taken right now.

Attorney Gaziano asked for additional time at the Public Hearing to allow for testimony. The motion was amended to have the Public Hearing begin at 6:45 p.m., seconded by MR. EUBANK. MR. VAN SICKLE asked for a reading of the motion. Attorney Gaziano read the motion for the record as to the continuation of the Public Hearing to October 25, 2021 at 6:45 p.m., that a courtesy notice will be given to neighbors within 250 feet of the subject property, and that Public Works Director, Chad Insko, is asked to be present. MR. EUBANK requested a vote on the amended motion to change the time to 6:45 p.m. MR. VAN SICKLE called for a roll call vote; the motion was carried by unanimously. MR. EUBANK called for a vote of the main motion, second by MR. EMMERT. Attorney Gaziano restated the main motion. Motion carried by unanimous roll call vote.

MR. EUBANK made the motion to recess until October 25, 2021, and move back to the Zoning Board meeting, second by MR. EMMERT. Motion carried by unanimous roll call vote.

Charles R. Van Sickle, Chairman
APPROVED: November 22, 2021

Prepared by:

Kellie Symonds,
Deputy Clerk