

The Zoning Board of the Village of Winnebago met by remote meeting via GoToMeeting with Chairman Charles R. Van Sickle presiding and calling the meeting to order at 7:00 p.m.

Atty. Gaziano opened the meeting with reading of the guidelines for remote meetings. However no one was present at the Village Hall, 108 W Main Street.

ROLL CALL

EMMERT – KONING - MCDOUGALL- VAN SICKLE – present; MEDEARIS- EUBANK- absent

Guests: Attorney Gaziano, Kellie Symonds, Jason and Teresa Ackerman joined the meeting at 7:28p.m.

Motion to approve the minutes from August 24, 2020 with revisions, was made by MR. KONING, seconded by MR. MCDOUGALL. Motion approved by roll call vote.

CONFLICT OF INTEREST:

No conflict of interested was voiced.

PUBLIC COMMENT:

No request for public comment was received.

APPLICATION FOR ZONING CHANGE:

MR. VAN SICKLE began the discussion for the Special Use permit with the following restrictions prepared by Atty. Gaziano.

1. A fence shall be constructed and maintained along and parallel to the entire length of the southern lot line of the lot in question.
2. The fence constructed and maintained along the southern lot line of the lot in question shall be at least 6 feet in height, but not more than ___ feet in height, and made of impervious material so that light cannot shine through the fence. Any fence over 6 feet in height must meet code wind loads such that it must be of sufficient material and construction to sustain a 110 m.p.h. wind for 90 seconds.

There was discussion regarding height and it was suggested a change to say “but no more than the maximum allowed for business zoning” in place of “but not more than ___ feet in height”, was agreed by all.

3. Any light fixtures used to illuminate the outside storage unit area must be constructed and mounted such that the light emitted therefrom does not project to the side, but rather projects downward.
4. The light fixtures used must be mounted at a height at least 12 inches lower than the height of the fence constructed and maintained along the southern lot line of the lot in question, and at a position so as to ensure the light emitted therefrom is not visible from the parcel adjacent to the southern lot line of the lot in question.
5. There shall be not be more than _____ lights on each building, spread equally on both sides of the building, with lights on the corners of each building, but none on the roof. (THE DISCUSSION WAS ANYWHERE FROM 16 PER BUILDING TO A TOTAL OF 21 TO 26 FOR BOTH BUILDINGS.)

The agreed change to this restriction was to be fourteen (14) lights on each building. MR. KONING asked if they were to be dusk to dawn lights, and Mr. Ackerman agreed. MR. EMMERT suggested they not be motion activated. All agreed.

6. Since there are public utilities in the right-of-way area of the subject property on Main Street, which limits the feasibility of landscaping between the fence constructed and maintained along the southern lot line of the lot in question and the neighboring yard, provided the area between the fence constructed and maintained along the southern lot line of the lot in question and the neighboring yard is sodded or seeded for grass, no additional landscaping shall be required.

MR. EMMERT recommended to change it to “There are public utilities on Main Street in the right-of-way area of the subject property, which limits the feasibility of landscaping”.

MR. EMMERT also suggested there be a variance on the landscaping on Main Street. The restriction will be on southern lot line requirement which will be sodded or seeded for grass. All were in agreement to the suggested change.

7. Due to the square footage of the buildings, there will need to be a firewall in lieu of a sprinkler system.

MR. VAN SICKLE stated that this is a fire department requirement and should not be included.

8. The development must follow the Village’s Unified Development Ordinance (UDO) since it is a new site development and storm water drainage must be addressed, unless a specific requirement is exempted or amended via a variance granted by the Village Zoning Board.

MR. VAN SICKLE stated they have to put in a new storm water inlet on Swift Street, and should possibly be another item. Atty. Gaziano will add this requirement.

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9. A one way traffic pattern must be maintained on the subject site, such that traffic shall enter the site from Swift Street, travel north, and exit on Main Street to protect the neighboring property from undue interference with the peaceable enjoyment of their property from headlights. The Ackermans' would place appropriate signage and pavement markings on the property meeting all size and structural requirements of the Illinois Vehicle Code and, to the extent enforceable, would enter into an agreement with the Village to allow enforcement of the traffic laws on its private property, and incorporate such notification language into all leases signed with storage unit facility tenants.

MR. EMMERT suggested taking the name of the Ackerman's out and recommends it to say instead "The property owner shall place appropriate signage and pavement markings..."

MR. EMMERT questioned the enforcement of the traffic laws on private property and asked if there is something in the municipal codes that allows the village to do that. Atty. Gaziano, is looking into this and will get an answer.

MR. EMMERT asked again about the topography or level of the land to make this work. Mr. Ackerman said he does not have anything other than what his engineer gave to the village engineer. He stated there will be a swale toward the two existing ditches, as he understands it.

MR. VAN SICKLE asked for a motion to recommend to Village Board to change the zoning.

MR. EMMERT made the motion to change the zoning from District 2 Two-Family to District 3 General Business conditioned with Special Use Permit for a storage facility subject to the conditions and restrictions to be listed as Exhibit A to the minutes, and seconded by MR. KONING. Motion approved on a roll call vote.

Atty. Gaziano clarified the process for the variances and restrictions.

The variances discussed were the following:

- 1) Variance from requirement in UDO Article 12.04.01 that HMA or Concrete shall be utilized for the driveway/access ways on site, with the allowance of milled blacktop (recycled asphalt) instead.
- 2) Variance from requirement in UDO Article 12.10 that there be a minimum of 3 parking stalls provided and an additional stall for every 50 storage units which would normally require 4 parking stalls based on the number of storage units 64 to be in this development. However, this variance is only provided the property is used for a storage facility and there is no office on the site of the storage facility.

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- 3) Variance from the requirement of landscaping on Main Street since there are utilities in the right-of-way.

MR. EMMERT questioned the need for the milled blacktop. MR. VAN SICKLE explained the need for the milled blacktop was due to the storm water runoff, as was recommended by the Village Engineer and Public Works Director.

Motion to adjourn made by MR. EMMERT, second by MR. KONING. Motion approved on a roll call vote.

Meeting adjourned at 8:15 P.M.

APPROVED

Charles R. Van Sickle, Chairman
(Approved October 26, 2020)

PREPARED BY:

Kellie Symonds, Deputy Clerk