

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 approximately 7:00 p.m. Atty. Gaziano stated the Zoning Board was able to continue to meet remotely since all conditions were met to conduct remote meetings according to the Executive Order by Gov. Pritzker allowing remote meetings during the COVID-19 pandemic.

ROLL CALL: VAN SICKLE– BOOKER –EMMERT- EUBANK – KONING –MCDUGALL
– all present

Guests present: Attorney Mary J. Gaziano, Attorney Wicktoria Goscik, Jason & Teresa Ackerman, Kellie Symonds

APPROVAL OF MINUTES MAY 24, 2021

Mr. Eubank made the motion to approve the minutes from the Public Hearing of May 24, 2021, second by Mr. Emmert. Motion carried on roll call vote of those present.

Minutes for the Planning and Zoning Board Meeting on May 24, 2021 will be revised to be approved at the July 26, 2021 meeting.

CONFLICT OF INTEREST – There was not conflict of interest noted.

PUBLIC COMMENT—There was no request for Public Comment.

ZONING CHANGE—PROPERTY LOCATED AT SOUTHEAST CORNER OF SWIFT STREET AND MAIN STREETS IN VILLAGE OF WINNEBAGO

Atty Goscik appeared in Atty. Szeto place to explain the Sitton’s concerns. The Sittons want the gravel restored, where there is now grass, and the concrete removed at the entrance to the back of their property on Swift Street. She stated her clients additionally have concerns that customers would be crossing their property via the extended driveway on to Mr. Ackerman’s driveway to get to the storage units. The Sittons want the retaining wall fixed, the grass removed, the gravel restored and the portion of the concrete that they say encroaches onto their property to ensure that the drive is used by them and them only. Atty. Goscik asked that this matter be delayed for another month so that Atty. Szeto can have a discussion with the Ackerman’s and come to an agreement regarding these concerns. She also stated that in coming to an agreement it would be a condition of the special use permit.

The matter of the fence was also addressed by Atty. Goscik. She stated that the fence measures only 5ft. 5in., and not 6ft according to the special use permit.

Mr. Eubank referred to WINGIS.org arial view of the property and stated that his understanding is that the view on WINGIS.org and where the cement is, that the cement has not gone beyond the current WINGIS.org view.

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Atty. Goscik stated the concrete is encroaching at least 5.5feet on to the Sittons property, and the cement creates a line of demarcation. The Sittons want it to be apparent that there is a difference between the properties.

Mr. Emmert asked if it is 5.5ft?

Atty. Goscik stated that she has not been to the property, and not sure if Atty. Szeto has either, but that is the information she has.

Atty. Gaziano stated she been to the property and was shown by Mr. Sitton the location of the pin it did not seem like 5.5'.

Mr. Emmert asked Mr. Ackerman if that could be cut the cement out at the property line and put the gravel back if the Sittons do not want to work it out otherwise. Mr. Emmert said that people may still driver over it. Mr. Ackerman replied that the Sittons would have to agree.

Mr. Ackerman asked if Mr. Insko would be okay with the flare not being there, and who would pay for that to be cut. Mr. Van Sickle and Mr. Emmert both stated that it would be Mr. Ackerman's expense.

Mr. Ackerman also stated that Mr. Medearis has approved the fence at the height of 6 feet.

Atty. Goscik stated that Mr. Sitton was at the property today and measured the fence at 5.5 feet.

Mr. Emmert recommended a continuance to make sure there is an agreement with respect to the encroachment.

Mr. Booker recalled that the vote was tabled pending the resolution between the Ackermans and the Sittons. He recommended another month to resolve the matter.

Mr. Eubank agreed with the recommendation by Mr. Booker that if an agreement between the two parties is not received by the next Zoning Board Meeting the board can still make a decision on the special use permit. Mr. Eubank made the motion to set the matter over to the next Zoning Board Meeting, second by Mr. Emmert. Motion carried on a roll call vote of those present.

Mr. Ackerman stated that he just returned from measuring the fence and it is 6 feet. There is gravel there, and there may be places where it may be otherwise. Mr. Ackerman stated he purchases 6 feet high panels. Mr. Ackerman measured three locations, as Mr. Medearis did when he approved the fence.

NEW BUSINESS

Mr. Eubank stated that Mr. Medearis' term expired at the May meeting, and Mr. Medearis does not want to continue another term. If anyone has a suggestion for recommendations to let Mr. Eubank or Mr. Van Sickle know.

Atty. Gaziano stated that she had also sent the proposed redline revisions conditions of the Special Use Permit along with the minutes. Mr. Emmert suggested the number eleven be deleted, which referred to the parties having an agreement. Mr. McDougall asked if the person

who measures the concrete apron could that individual also measure the fence. Mr. Eubank stated that he could ask Mr. Insko to measure the apron. Mr. Eubank restated that the Village Building Inspector did inspect and approve the fence. Atty. Gaziano commented that there is an exposed pin on the Sitton's property facing the Swift Street.

Atty. Gaziano asked for what the Village approved for the property.

Atty. Gaziano asked if there were any contrary opinions to the deletion of number eleven. There were none noted.

Mr. Van Sickle stated the even if no agreement is in place that the Board would move ahead with the recommendation of rezoning.

Mr. Emmert made a motion to adjourn, which was seconded by Mr. McDougall. The motion carried on unanimous roll call vote. Meeting was adjourned at 7:33 p.m.

APPROVED: 07/26/2021

Charles R. Van Sickle, Chairman

Prepared by:

Kellie Symonds,
Deputy Clerk