

MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON APRIL 21, 2022

The meeting was called to order by Chairman Ken Hartman at 7:30 PM.

Roll call was taken: **Present: Poettker, Boothman, Loerch, Spielman, Gibbs and Hartman.**

Chairman Hartman asked if there were any additions or corrections to the minutes of the March 17, 2022 meeting. A motion was made by Spielman and seconded by Poettker to approve the minutes of March 17, 2022 as presented. Motion carried.

The Chairman asked if there were any citizens to address the Zoning Board of Appeals. There were none.

The Chairman also asked if there were any corrections or deletions to the agenda. There were none.

PETITIONS:

Z-22-04-01 Review and Recommend to City Council a Petition for a Special Use Permit for a Home Occupation (Barbershop) to be located at 417 Sunset Drive, Waterloo, IL Parcel No. 07-25-304-021-000 as requested by the owner, Amie Wester.

Postal notification receipts have been received from all recipients except one. A phone message was left for this individual, but no return call was received. The Zoning Administrator commented that the public notice for this petition was published in the April 06, 2022 edition of the Waterloo Republic Times.

Ms. Amie Wester, the petitioner, was present to speak on behalf of this petition and read her letter of intent. Ms. Wester would like to open a barbershop in her home (garage). Her business plan is outlined below:

- Clients will park in a second driveway where there is a sidewalk to a side door entrance into the garage.
- There will be a separate room with drywall in the rear of the garage. The wall will separate the barbershop from the rest of the garage.
- There will be minimal traffic with only one person receiving service at a time.
- The business will be operated by appointment only.
- Hours of operation will vary from 8AM to 7PM, Tuesday through Thursday.
- There will be a door separating the business from the home.
- Square footage of the business will be approximately 150 with one barber chair and two waiting chairs.
- No hair products will be sold.

The Zoning Administrator read an email he received from Kellie Kilian, an adjacent property owner, who supported the Home Occupation (Barbershop) permit.

Motion was made by Gibbs and seconded by Loerch to recommend approval to the City Council a Petition for a Special Use Permit for a Home Occupation (Barbershop) to be located at 417 Sunset Drive, Waterloo, IL Parcel No. 07-25-304-021-000 as requested by the owner, Amie Wester.

Members voted as follows: YES – Gibbs, Poettker, Boothman, Loerch, Spielman and Hartman. Motion carried.

Z-22-04-02 Review and Recommend to City Council a petition for a Zoning Text Amendment to modify the current “Animal Hospital” definition in section 40-1-15 and as listed in the permitted zoning use sections, A (Agricultural District), B-1 (Office Business District), and I-1 (Light Industrial District).

Postal notification receipts have been received from two out of the four adjacent property owners. The Zoning Administrator did not hear from the neighboring bank-owned property or from the farmer across the road. The Zoning Administrator also commented that the public notice for this petition was published in the April 06, 2022 edition of the Waterloo Republic Times.

Mrs. Shannon Melliore, the petitioner, was present to speak on behalf of this petition and read her letter of intent. She would like to establish a permanent animal hospital in the City of Waterloo and is requesting to modernize the current definition in the Zoning Code to include other aspects of pet health care such as: overnight boarding, grooming, emergency care, pet anxiety/aggression, physical therapy, etc.. There would be no outside kennels at this new facility, but there would be an exercise yard. Farm animals would be ambulatory and there will be no pasture. The clinic has three ambulatory trucks so most large animal care will be farm calls.

The Zoning Administrator referenced the current ordinance definition for Animal Hospital, the proposed ordinance and the proposed ordinance after the Planning Commission Meeting on 04-11-22.

Motion was made by Gibbs and seconded by Poettker to recommend the City Council a petition for a Zoning Text Amendment to modify the current “Animal Hospital” definition in section 40-1-15 and as listed in the permitted zoning use sections, A (Agricultural District), B-1 (Office Business District), and I-1 (Light Industrial District) to the Planning Commission proposed ordinance from their 04-11-2022 meeting.

Members voted as follows: YES – Gibbs, Poettker, Boothman, Loerch, Spielman and Hartman.

Z-22-04-03 Review and Recommend to City Council adding the definition “Convenience Store” to Zoning Section 40-1-15.

The Zoning Administrator stated he presented the ZBA’s draft definition of “Convenience Store” to the Planning Committee and the Planning Commission. Both groups liked the definition; however, the Planning Committee recommended that the maximum floor space dedicated to the sale of alcohol products be raised from 25% to 50%. The Committee thought 50% of the floor space dedicated to the sale of alcohol products was more appropriate. The ZBA thought 50% floor space would be more of a liquor store than a convenience store. After discussing various percentages, the Zoning Board decided to recommend to the City Council a maximum of 35% of the floor space dedicated to the sale of alcohol products.

Motion was made by Loerch and seconded by Spielman to recommend to the City Council adding the definition “Convenience Store” to Zoning Section 40-1-15 with the following sentence in the definition changed to read:

Convenience stores must be less than 3,000 square feet in floor area, with a maximum of 35% of the floor area dedicated to the sale of alcohol.

**Members voted as follows: YES – Loerch, Boothman, Spielman, Gibbs, Poettker and Hartman.
Motion carried**

Z-22-04-04 Consideration and Action on a Petition for a Special Sign Permit to exceed the maximum total surface area of the Taco/KFC business signage at the property owned by W&M Restaurants Inc. located at 918 North Market Street, Parcel No. 07-13-401-088-000.

Postal notification receipts have been received from two out of the six adjacent property owners. The Zoning Administrator also commented that the public notice for this petition was published in the April 06, 2022 edition of the Waterloo Republic Times.

Attorney Arthur W. Morris, representative for W&M, was present to speak on behalf of this petition and read the letter of intent. W&M is requesting to replace a sign on the Taco/KFS building that was damaged during a windstorm. The building signage was out of compliance prior to the windstorm, and the sign will be 14.50 square feet smaller than what was damaged by the storm. Total signage would be 159.50 square feet, which is 41.50 over that allowable threshold for the size of the building. The company will remove all exterior window clings prior to the installation of the new sign.

Motion was made by Gibbs and seconded by Boothman to recommend approval on a Petition for a Special Sign Permit to exceed the maximum total surface area of the Taco/KFC business signage at the property owned by W&M Restaurants Inc. located at 918 North Market Street, Parcel No. 07-13-401-088-000 as the building already exceeded the allowable signage prior to the storm damage.

**Members voted as follows: YES – Gibbs, Poettker, Boothman, Loerch, Spielman and Hartman.
Motion carried**

COMMENTS:

The Zoning Administrator inquired as to how postal notification receipts were distributed in the past. The Chairman explained how the green cards were sent out and why the changes were made. It appears that there is a postal issue as not all the notification receipts are being returned to the City properly. Some cards are not coming back at all and others are not even signed by the recipient. It was suggested that the Zoning Administrator contact the Postal Service about this issue.

The Zoning Administrator also mentioned that Arby's has applied for a permit to remodel the inside and outside of their building. The sign package has been received and their freestanding sign request greatly exceeds what is allowable by code.

**Motion to adjourn the meeting at 8:40 PM was made by Poettker and seconded by Boothman.
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.