

**MINUTES OF THE ZONING BOARD OF APPEALS  
MEETING HELD ON MAY 18, 2023**

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

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

Chairman Hartman asked if there were any additions or corrections to the minutes of the April 20, 2023 meeting. The following changes were recommended:

- Under Petition Z-23-04-01, second paragraph, third line, change from “.....the building to cover the existing outdoor sitting area.” to “.....the building to cover the existing outdoor seating area.”
- Under Comments, second paragraph, second line, change the word “Administration” to “Administrator”.

A motion was made by Spielman and seconded by Loerch to approve the minutes of April 20, 2023 as amended. Motion carried.

The Chairman asked if there were any petitions by citizens on non-agenda items. There were none.

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

**PETITIONS:**

**Z-23-05-01 Review and Comment on a petition for an Area and Bulk Variance from the requirements of 40-2-3(A) regarding the minimum distance to side lot line in linear feet for a proposed accessory shed located in a R-2 zoned district at 625 James Street Parcel No. 07-24-401-006-000 as requested by petitioner, John Novack.**

The Zoning Administrator commented that the public notice for this petition was published in the May 03, 2023 edition of the Waterloo Republic Times, and postal notification receipts were received from all recipients. The Zoning Administrator stated he also received a call from Stanley and Bonnie Marquardt, adjoining property owners, and they had no issue with the requested variance.

Mr. John Novack, owner of the property at 625 James Street, was present to speak on behalf of this petition. Mr. Novack would like to replace the 40-year-old shed on his property with a new one. Due to the limitations of his property (slope of the land, trees, and basic landscaping), he is unable to comply with the 5-foot side yard setback requirement. The old shed is a 8’x10’ metal building on a concrete slab with a side lot setback of 2 feet. The proposed shed will be 10’x12’ and 8 feet high at the tallest peak.

**Motion was made by Spielman and seconded by Loerch to recommend approval for an Area and Bulk Variance from the requirements of 40-2-3(A) regarding the minimum distance to side lot line in linear feet for a proposed accessory shed located in a R-2 zoned district at 625 James Street Parcel No. 07-24-401-006-000 as requested by petitioner, John Novack.**

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

**COMMENTS:**

The Zoning Administrator commented on the following business items:

- Sav-On Liquor and Wine - Mr. Nick Patel, owner of Sav-On Liquor and Wine has decided he no longer wants a Class G Liquor License. The Class G Liquor License allowed him to have a convenience store and a gaming license. However, per City Ordinance, a convenience store must have less than 35% of retail space dedicated to liquor sales. Mr. Patel determined the most beneficial use of his retail space was to have more than 35% dedicated to liquor sales. He, therefore, surrendered his Class G Liquor License and Gaming License and applied for and received a Class C liquor license, which does not have liquor sales space limitations. The Zoning Administrator stated that a liquor store is a permitted use in a B-2 zoned district, and the change in license status has no effect other than freeing up a gaming license for another retail establishment to apply for.
- Moto (aka MotoMart) – The sign submitted by MotoMart meets City requirements, but the location of the sign is an issue. MotoMart would like to use the existing pylon foundation for their new sign. However, there are utilities on both sides of the pylon, and the City would like to see the signage move closer to the parking lot and away from the utility easement.
- Gateway Business Park Dollar General Store – To the south of the MotoMart property and north of Creekwoods Lane is a 7.43-acre tract of land that is owned by Gateway FS. Dollar General is looking at purchasing approximately 2 acres of this ground for a new store. However, there are a couple of issues that need to be resolved. One is the placement of a public street between Illinois Route 3 and Lakeview Drive, but more importantly, is how the street fits in with the tapering of the bidirectional lanes on Illinois Route 3.
- Tannous Loving Care – Met with the owners to discuss a dumpster location for this facility. Unfortunately, there is no location that meets the ordinance requirements for a dumpster site. The Zoning Administrator recommends the Tannous' place a dumpster behind the building next to the parking lot.
- South Library/Walnut Property – There is a non-viable zoning lot that may be on the agenda next month. The lot is 48.67 feet wide with a 50-foot front yard setback and a 25-foot rear yard setback. The property owner would like to add a covered porch to the south side of the building.
- 520 South Main – The home at 520 South Main has been demolished, as requested, by the homeowner.
- Ahne's Bakery – Jeff Ahne is still the owner of the property and there are no new updates regarding the site. Mr. Ahne is cleaning the place up.
- 203 Parkwood – The home is owned by Mr. Dennis Johnson and has debris/weeds in the rear yard. The debris is slowly being removed, but the weeds are still present. The fence is also in disrepair. There was a question whether a permit was requested for the accessory building (shed) in the rear yard.

**Motion to adjourn the meeting at 8:05 PM was made by Loerch and seconded by Boothman.  
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.