

## **MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON AUGUST 18, 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 June 16, 2022 meeting. A motion was made by Poettker and seconded by Spielman to approve the minutes of June 16, 2022 as presented. 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-22-08-01    Review and Comment on a Petition for a Special Use Permit to allow a Multi-Family Residence to be located above a new commercial building in a B-3 Zoning District, as permitted by 40-2-3(B), more specifically known as 231 West Mill Street (Parcel No. 07-25-203-024-000) as requested by the owner, Phillip Kelley.**

Zoning Board Member Poettker stated that Mr. Kelley was a family member, and she would be abstaining from voting on the petitions this evening.

The Zoning Administrator commented that the public notice for this petition was published in the August 03, 2022 edition of the Waterloo Republic Times, and postal notification receipts were received from all recipients.

Mr. Phillip Kelley, petitioner and owner of the property, was present to speak on behalf of this petition. Mr. Kelley stated that he would like to demolish the old car wash and build a two-story building with commercial business on the ground floor and residential usage (apartments) on the second floor. Plans are for three commercial businesses, two facing Mill Street and the third facing Library. Parking is available on both Mill and Library for the business and apartment use. The Zoning Administrator noted that since the commercial property is in the Central Overlay District it is exempt from the normal parking requirements per ordinance.

Mr. Doug Clements, 205 W. 4th Street, requested to address this petition. He indicated he was neither for nor against this petition because there was not enough information in the paper to know what to speak against. He stated there were no pictures or artist renderings of the proposed building, nor anything about the façade. Mr. Clements commented that he was concerned with the historical appearance of Waterloo and would like to have that maintained. The Zoning Administrator responded that there were exterior requirements for commercial buildings in addition to building and zoning codes. The Board explained to Mr. Clements that the petition was only to determine if the site was conducive to the type of development Mr. Kelley was proposing.

**Motion was made by Spielman and seconded by Loerch to recommend an approval for a Special Use Permit to allow a Multi-Family Residence to be located above a new commercial building in a B-3 Zoning District, as permitted by 40-2-3(B), more specifically known as 231 West Mill Street (Parcel No. 07-25-203-024-000) as requested by the owner, Phillip Kelley.**

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

**Z-22-08-02 Review and Comment on a Petition for a Special Use Permit to allow a “Residence Use” in a B-3 Zoning District, as permitted by 40-2-3(B), more specifically known as 231 West Mill Street (behind the proposed commercial business) (Parcel No. 07-25-203-024-000) as requested by the owner, Phillip Kelley.**

Mr. Phillip Kelley, petitioner and owner of the property, was present to speak on behalf of this petition. Mr. Kelley stated that he would like to build townhouses behind the proposed commercial business at 231 West Mill. The townhouses would face either Library Street or Flower Street. Site plans are very preliminary right now, but the estimated square footage for the townhouses would be 1,320 square feet. The size however could also change depending on the layout of the townhomes and the parking needed.

The Zoning Administrator commented that the public notice for this petition was published in the August 03, 2022 edition of the Waterloo Republic Times, and Postal notification receipts were received from all recipients.

The Zoning Administrator stated that a resident on Flower Street thought it was best to have the townhouses face Library Street to prevent additional parking on Flower Street.

**Motion was made by Gibbs and seconded by Loerch to recommend an approval for a Special Use Permit to allow a “Residence Use” in a B-3 Zoning District, as permitted by 40-2-3(B), more specifically known as 231 West Mill Street (behind the proposed commercial business) (Parcel No. 07-25-203-024-000) as requested by the owner, Phillip Kelley.**

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

**COMMENTS:**

The Zoning Administrator had the following comments:

- Potential Candidate for the 7<sup>th</sup> Seat on the Board of Appeals – Mr. David Powell was in the audience this evening, and the Zoning Administrator introduced him to the Board. With the Mayor’s consent, Mr. Powell’s appointment should be on the September 06, 2022 City Council agenda.
- September 2022 ZBA Meeting – There will be a September Zoning Board of Appeals meeting.

- Signage – A copy of Section 40-4-15 (Business Signs) was distributed to the Board. In question is a roof/eave/awning at 208-210 S. Main. Per ordinance, a sign cannot be more than two feet above the face of the building. A proposed business wants to erect a three-foot sign on the building, so the question is if this requires a special sign permit. Discussion ensued as to what would look esthetically pleasing. The ZBA members agreed that the building looks like it has an awning with shingles on it and that it is not a roof.
- Washy's Saloon Signage on Illinois Route 3 – This sign is on Illinois Route 3 right-a-way. IDOT would have the jurisdiction on any action to have the sign removed from the right-a-way.
- Arby's Signage – The Zoning Administrator has been working with the company on the freestanding signpost as it is out of compliance. In addition, the sign is also within the restricted 30-foot sight distance triangle.

**Motion to adjourn the meeting at 8:20 PM was made by Spielman and seconded by Loerch.  
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.