

**MINUTES OF THE ZONING BOARD OF APPEALS  
MEETING HELD ON OCTOBER 19, 2023**

The meeting was called to order by Chairman Ken Hartman at 7:33 PM

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

Chairman Hartman asked if there were any additions or corrections to the minutes of the August 17, 2023 meeting. The following change was recommended:

Under Roll Call: Remove “*Absent Gibbs*”. Mr. Gibbs was present at the August 17, 2023 meeting.

A motion was made by Spielman and seconded by Loerch to approve the minutes of August 17, 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-23-10-01 Review and Comment on a Petition for a Special Sign Permit to replace the existing wall mounted sign with an updated sign in the R-5 Zoned District located at 210 North Market Street Parcel No. 07-25-234-005-000 as requested by petitioner, HMG Engineers, Inc.**

The Zoning Administrator commented that the public notice for this petition was published in the October 04, 2023 edition of the Waterloo Republic-Times. Three of the five postal notification receipts were received. A phone call was made to one of the adjacent property owners who stated they had no issue with the variance request. St. Paul UCC has not responded to the postal notification or a phone message.

Mr. Brian R. Buchheit, Chief Operating Officer, HMG Engineers, Inc., was present to speak on behalf of this petition. HMG is looking to establish an office in the City of Waterloo and plans to lease the building at 210 N. Market. In addition to the three dedicated staff members, this Waterloo office will have enough space to have floaters (field staff, engineers, etc..) who are involved in local projects. It is being requested that the existing wall-mounted sign be replaced by a new one. The sign will only contain the business name and the website. Most of the business is by appointment, and clients are met at their location. The proposed sign area is 6.5 square feet. A special sign permit is required as the building is located in an R-5 zoned district.

**Motion was made by Spielman and seconded by Loerch to recommend approval for a Special Sign Permit to replace the existing wall mounted sign with an updated sign in the R-5 Zoned District located at 210 North Market Street Parcel No. 07-25-234-005-000 as requested by petitioner, HMG Engineers, Inc.**

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

**Motion carried.**

**Z-23-10-02 Review and Comment on a Petition for Special Sign Permit to install a wall mounted sign which exceeds the requirements of 40-4-15(C) located at 117 North Main Street – Happy Hour Sports Bar – Parcel No. 07-25-205-015-000 as requested by owners Kyle & Matt Buettner.**

The Zoning Administrator commented that the public notice for this petition was published in the October 04, 2023 edition of the Waterloo Republic-Times, and all postal notification receipts have been received.

Mr. Kyle Buettner, owner of Happy Hour Sports Bar, was present to speak on behalf of this petition. Mr. Buettner is requesting a Special Sign Permit for a wall-mounted sign that exceeds the zoning code's 2-foot project limit from the building. The sign will extend 48 inches from the outside wall and will be illuminated but not flashing. The sign will be turned off when the bar is closed.

**Motion was made by Gibbs and seconded by Loerch to recommend approval for a Special Sign Permit to install a wall mounted sign which exceeds the requirements of 40-4-15(C) located at 117 North Main Street – Happy Hour Sports Bar – Parcel No. 07-25-205-015-000 as requested by owners Kyle & Matt Buettner.**

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

**Motion carried.**

**Z-23-10-03 Review and Comment on a Petition for a Special Use Permit for a home occupation (Custom T-shirt Embroidery) to be located at 135 Links Lane Parcel No. 08-19-450-021-000.**

The Zoning Administrator commented that the public notice for this petition was published in the October 04, 2023 edition of the Waterloo Republic-Times. Four of the five postal notification receipts were received. The fifth person was called who stated they had no issue with the special use permit for a home occupation. The basis for this petition began when the Zoning Administrator received an inquiring where the caller thought a possible home occupation was being operated at this address.

Mrs. Alysia Brinkmann, the petitioner, was present to speak on behalf of this petition. Mrs. Brinkmann mentioned she operates a printing and embroidery business in the basement of her home. The business consists of printing and embroidery of shirts. The only employee is her daughter. Customers pick up their orders from a cabinet on the porch which matches the décor of the home. Approximately five people pick up their orders each day. Although she has been in business for 14 years, Mrs. Brinkmann just moved into the East Ridge Subdivision in June. A business sign is not currently displayed on the home, nor does she intend to have one installed. Mrs. Brinkmann commented that she recently remodeled her kitchen so there was a dumpster and several contractor vehicles present at that time and maybe that is what prompted the complaint call.

Zoning Board member Powell said he does not support a business operating in a residential neighborhood. In his opinion, home occupations are unfair to brick-and-mortar business owners who rent, lease, or buy a building and therefore have overhead expenses. A home occupancy has no overhead, and he believes the ordinance for home occupations needs to be revised or corrected.

**Motion was made by Gibbs and seconded by Spielman to recommend approval for a Special Use Permit for a home occupation (Custom T-shirt Embroidery) to be located at 135 Links Lane Parcel No. 08-19-450-021-000.**

**Members voted as follows:**

**YES – Gibbs, Poettker, Loerch, Boothman, Spielman, and Hartmann.**

**PRESENT - Powell**

**Motion carried by a vote of 6/1**

**COMMENTS:**

The Zoning Administrator commented on the following business items:

- Tannous Loving Care (old Rosedale House) – The original Special Use Permit to operate a 55+ independent living community for seniors remains in effect for this property. Occupancy is lower than anticipated, and the Tannous' are looking at additional options to increase clientele. They are proposing to host transient guests for up to thirty (30) days similar to a hotel. A hotel is a permitted use in a B-2 Zoned District. The plan would be to divide the building in half. Half of which would remain as an independent living community for seniors and the other half would be used for transitory guests. There was a short discussion of potential parking issues in the future; however, there are options available to address this matter if it arises. Other than parking, the Board of Appeals members had no concerns or additional comments.
- Splash Pad – The original and updated proposed site plan for the Splash Pad was distributed. The difference between the plans is the decrease in parking due to elevation changes on the property to the east. The change is being mentioned as the Board of Appeals approved the original parking space requirements. The updated site plan shows approximately 17 fewer parking spaces.

The Zoning Administrator was asked to update the Board on the below items:

- Self-Storage Units at 1329 North Illinois Route 3 – There were two Special Use Permits granted to Mr. Chris Kalbfleisch for Self-Storage Units at this location. The first Special Use Permit expired in December 2022 after being granted a one-year extension. A second Special Use Permit was approved on October 20, 2022. Two self-storage units were to be constructed under this permit.
- Green Brier Trailer Park on Mill Street – As soon as the City has the legal authority to do so, we will access the property and solicit demolition bids. The property is currently zoned B-3, and the Zoning Administrator would like to align the property with the surrounding area, which is R-3. He would also like to see the alley vacated.
- MotoMart Sign – The new monument sign has been erected, and there are some viewing issues if traveling on Highway 156. Comments were made that the sign appeared to be too far off the main road.

**Motion to adjourn the meeting at 8:23 PM was made by Poettker and seconded by Loerch.  
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.