

MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON NOVEMBER 17, 2022

The meeting was called to order by Chairman Ken Hartman at 7:30 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 October 20, 2022 meeting. A motion was made by Spielman and seconded by Boothman to approve the minutes of October 20, 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-22-11-01 Review and Comment on a Petition to consider a proposed Zoning Map Amendment for Parcel No. 07-25-336-001-000, Parcel No. 07-25-336- 003-000, and Parcel No. 07-25-336-002-000, more commonly known as 502 Walnut Street, 502 Walnut Street (Rear), and 500 Walnut Street from R-3 Single Family Residential to I-1 Light Industrial as requested by owners, William Ebeler, Jeanne Ebeler, and Amanda Ebeler.

The Zoning Administrator commented that the public notice for this petition was published in the November 02, 2022 edition of the Waterloo Republic Times, and postal notification receipts were received from all but two recipients. The Zoning Administrator called the two recipients whose postal notifications were not received and emailed them the information.

Mr. William Ebeler, the petitioner, was present to speak on behalf of this petition. Mr. Ebeler met with IDOT and with the City of Waterloo requesting access to Illinois Route 3 from his property. This access will lessen commercial traffic on South Moore Street and Walnut Street as trucks will then access their business directly from Route 3. Mr. Ebeler was granted an entrance on Illinois Route 3 and is now requesting that his properties be zoned I-1 Light Industrial. The property is contiguous to an I-1 zoned parcel and his business qualifies as light industrial use. Mr. Ebeler stated he has been operating his business on a special use permit since 1978. Walnut Street would not extend to the highway, but would probably curve into Moore Street. The homes on the property would be grandfathered into the I-1 zoned district if the petition is approved.

Mr. Mark Fischer, owner of the Depot property, 518 Park Street, thought he still owned the property that Mr. Ebeler was intending to use as an access point from Illinois Route 3. The Zoning Administrator informed Mr. Fischer that IDOT purchased the portion of the property he is referring to with the expansion of Illinois Route 3.

Motion was made by Gibbs and seconded by Loerch to recommend approval for a proposed Zoning Map Amendment for Parcel No. 07-25-336-001-000, Parcel No. 07-25-336- 003-000, and Parcel No. 07-25-336-002-000, more commonly known as 502 Walnut Street, 502 Walnut Street (Rear), and 500 Walnut Street from R-3 Single Family Residential to I-1 Light Industrial as requested by owners, William Ebeler, Jeanne Ebeler, and Amanda Ebeler.

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

Motion carried.

Z-22-11-02 Review and Comment on a Petition for a Special Use Permit as permitted by 40-4-10 to allow a private greenhouse at 610 Paula Drive, Parcel No. 07-25-317-013-000 located in a R-5 Zoning District, as requested by petitioner, Matthew Schweizer.

The Zoning Administrator commented that the public notice for this petition was published in the November 02, 2022 edition of the Waterloo Republic Times, and postal notification receipts were received from all recipients.

Mr. Matthew Schweizer, the petitioner, was present to speak on behalf of this petition. He stated he would like to construct a 200-square-foot residential greenhouse on his property. The greenhouse would be on a concrete pad, made of solid materials and professionally installed. There will also be no lighting or exterior generators. If approved construction would start in the spring. Area heaters would be used as a heat source. The six raised planter beds that are currently on the property will remain.

The Zoning Administrator read a letter from Sahra Linneman, owner of the property at 608 Paula Drive. Ms. Linneman opposes the special use permit as she feels the size and location would impose on the aesthetics of the area.

It was mentioned that John and Brenda Bueschel, 612 Paula Drive, seemed to originally oppose the special use permit. However, they appear to have changed their minds once they saw a photo of the proposed greenhouse.

The Zoning Administrator also read a letter from Dave Balaski, 611 Paula Drive, who stated he had no issues with the requested special use permit for a greenhouse.

The Waterloo Planning Commission approved the Special Use Permit stipulating that Mr. Schweizer build the Sigma 20 Greenhouse or a similarly manufactured style greenhouse.

Motion was made by Gibbs and seconded by Loerch to recommend approval for a Special Use Permit as permitted by 40-4-10 to allow a private greenhouse at 610 Paula Drive, Parcel No. 07-25-317-013-000 located in a R-5 Zoning District, as requested by petitioner, Matthew Schweizer with the stipulation that Mr. Schweizer installs the Sigma 20 Greenhouse as he proposes or an equivalent to the Sigma 20.

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

Z-22-11-03 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 114 West Mill Street – Gallagher’s Restaurant – Parcel No. 07-25-250- 011-000 as requested by owner, John Gallagher.

The Zoning Administrator commented that the public notice for this petition was published in the November 02, 2022 edition of the Waterloo Republic Times, and postal notification receipts were received from all but one recipient. The Zoning Administrator called the recipient whose postal notification was not received but was unable to talk to anyone.

Mr. James Gallagher, son of the petitioner, was present to speak on behalf of this petition. The Gallagher’s are requesting a Special Sign Permit for a wall-mounted sign on the northeast corner of the building. The sign will extend approximately 30” from the corner and the code limits the extension distance to a maximum of 24”.

Mr. Matthew Schweizer, 610 Paula Drive and part owner of Hopskeller Brewing Company, stated he supported the sign and thought other businesses would agree. The sign is iconic and will make the restaurant easier to locate.

Motion was made by Spielman 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 114 West Mill Street – Gallagher’s Restaurant – Parcel No. 07-25-250-011-000 as requested by owner, John Gallagher

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

COMMENTS:

The Zoning Administrator had the following comments:

- There will be a review of “accessory buildings” in the zoning code. Gazebo kits are becoming popular and there are questions on how to classify these structures. Are they temporary or permanent and should they be regulated and if so how.
- There is an interest in turning the old Family Video Store into a convenience store, but nothing is official.
- 411 Park Street Property – This is the property that caught fire and contained a printing and dog grooming business. The owner of the property is talking to the City about what is required to either rebuild or tear down the building.

- ‘Adorable Beast’ is looking for a new location. We will need to review the zoned districts where other dog grooming facilities are located.

Zoning Board Members had the following comments:

- Dumpsters are located in front of Reliable Sanitation. It is believed that there was a stipulation when granting Reliable Sanitation's request for a variance that dumpster storage would be eliminated in front of the office building.
- There is a home on South Main Street that is in poor condition. It is requested that the City address the condition of the home.

**Motion to adjourn the meeting at 8:16 PM was made by Poettker and seconded by Powell.
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.