

Zoning Board of Appeals July 30, 2025 6:00 P.M. SCRIPT – DRAFT MINUTES

A. CALL TO ORDER __6:01__ P.M.

B. ROLL CALL

PRESENT-John Ecker PRESENT-Shawn Blobaum PRESENT-Jolene Willis

PRESENT-Kyle Hart PRESENT @6:45PM-Rich George

PRESENT-Anton Feitlich

C. APPROVE MINUTES OF PUBLIC HEARING 4/16/2024

I will entertain a motion to approve the minutes from the public hearing held on 4/16/2024.

*Motioned: JOLENE WILLIS Second: SHAWN BLOBAUM
All in Favor signify by saying Aye All those opposed Nay?*

Vote: #3 SB-JW-KH-Approved # 0 NONE Denied

D. APPROVE MINUTES OF THE PUBLIC HEARING 4/19/2024

I will entertain a motion to approve the minutes from the public hearing held on 4/19/2024.

*Motioned: SHAWN BLOBAUM Second: JOLENE WILLIS
All in Favor signify by saying Aye All those opposed Nay?*

Vote: # 3 SB-JW-KH Approved # 0 NONE Denied

**E. APPROVE MINUTES OF THE PUBLIC HEARING 6/23/2025 TABLED
WITHOUT RICH GEORGE UNTIL LATER IN MEETING (VOTED ON AFTER
PUBLIC HEARINGS) APPROVED AFTER PUBLIC HEARINGS CONCLUDED**

*I will entertain a motion to approve the minutes from the public hearing held on 6/23/2025.
Due to a question regarding quorum, the Public Hearing held 6/23/25 was re-held on July
30,2025.*

*Motioned: JOLENE WILLIS Second: SHAWN BLOBAUM
All in Favor signify by saying Aye All those opposed Nay?*

Vote: # 3 RG-JW-SB Approved # 0 NONE Denied – JE, KH ABSTAIN (NOT PRESENT
AT 6/23/2025 MEETING)

G. PUBLIC HEARING

1. Open Hearing:

6:29 PM

I will entertain a motion to open the public hearing for the purposes of hearing the variance requests for the Village of Waterman.

*Motioned: JOLENE WILLIS Second: KYLE HART
All in Favor signify by saying Aye All those opposed Nay?*

Vote: #3 JW-SB-KH Approved # 0 NONE Denied

2. Introduce Proposed Amendments:

NOTICE IS HEREBY GIVEN, that on July 30, 2025 at 6:00 p.m., in the Village Hall for the Village of Waterman, 215 W. Adams Street, Waterman, Illinois, a hearing will be held by the Village of Waterman Zoning Board of Appeals pursuant to 65 ILCS 5/11-13-1, et. al., to discuss the proposed variance applications to the Village of Waterman Code.

1. Variance Request for 310 S Hickory Oversize Garage

All interested persons will be given an opportunity to be heard at the hearing regarding the proposed variances.

2. Purpose of Hearing:

The Purpose of this hearing is to gather all testimony, exhibits, and facts related to the proposed zoning variance applications. A variation is a zoning adjustment which permits minor changes of the requirements of the zoning district in which the property in question is located where individual properties as both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree of variation is limited to the minimum changes necessary to overcome the inequity inherit on the property. The Zoning Board of Appeals will afford all interested persons an opportunity to be heard and tender a recommendation to the Board of Trustees.

3. Public Hearing Process:

The Zoning Board of Appeals will first acknowledge all of the materials that have been received by all parties;

All persons speaking must be sworn in, identify themselves, and give their address. It should be noted that a tape recording is being made of these proceedings;

The applicant(s) will then make an oral presentation consisting of the following:

In what respect do you want the Village of Waterman Zoning Ordinance varied, or the decision of the Zoning Administrator changed?

What, if your opinion, is the undue hardship or difficulty in complying with the Village of Waterman Zoning Ordinance or the decision of the Zoning Administrator?

What hardship would result in the strict application of the Village of Waterman Zoning Ordinance, or the decision of the Zoning Administrator?

The Zoning Board of Appeals members and audience members are given an opportunity to ask Presenter(s) questions;

Audience members will be permitted to testify and given an opportunity to make statements in favor or opposition;

Staff members are given the opportunity to make statements;

The applicant(s) are able to provide final statements;

The public hearing is then closed and the Zoning Board of Appeals conducts the "findings of fact." This is the summary of the testimony given during the public hearing which focused on the validity of the alleged hardship and the effect the proposed variation will have on the subject property as well as adjoining property. A summary of the worksheet is found in the "Application of Zoning Variation" packet;

The Zoning Board of Appeals will review all the materials and make a motion to grant, deny, or amend the zoning variation request. The Zoning Board of Appeals may impose conditions and restrictions on the variation as they see fit;

The recommendation and finding of facts are forwarded to the Village of Waterman Board of Trustees for their decision. The decision of the Village Board of Trustees is final.

4. Acknowledgement of all Materials Received:

The Zoning Board of Appeals has received all materials for the recommended variations to the Village Code.

AFFIRMATION THAT HICKORY MATERIALS ARE RECEIVED. NO ONE PRESENT FOR ALMANAR TRADING

5. Swearing In:

At this point we will ask all people who will speak, or think the MIGHT speak or ask a question, to be sworn in, please stand and raise your right hand "Do you solemnly swear that the testimony you are above to give will be the truth, the whole truth, and nothing but the truth?" Please respond with "I DO." (REFERENCE SIGN IN SHEET)

6. Applicant Oral Presentation(s):

Applicant(s): *Variance Request for 310 S Hickory Oversize Garage*

The presenter(s) may now make their presentation, including providing answers to the three questions: JEFFREY MEYER – ATTORNEY

In what respect do you want the Village of Waterman Zoning Ordinance varied, or the decision of the Zoning Administrator changed?

What, if your opinion, is the undue hardship or difficulty in complying with the Village of Waterman Zoning Ordinance or the decision of the Zoning Administrator?

FATHER PASSED AWAY, HOMEOWNER NEEDS STORAGE FOR CLASSIC CARS

What hardship would result in the strict application of the Village of Waterman Zoning Ordinance, or the decision of the Zoning Administrator?

7. Questions of Presenter:

The members of the Zoning Board of Appeals and the public may ask questions of the applicants at this time. Do the board members and the public have any questions?

SETBACK IS NOT AN ISSUE DUE TO CORNER LOT. 16' PEAK WHEN ORDINANCE CALLS FOR 10'. THERE ARE MANY EXISTING GARAGES IN THE AREA AND THROUGHOUT THE VILLAGE THAT ARE NOT COMPLIANT WITH OUR ORDINANCES. STORAGE AND LIFT NEEDS/DESIRES ARE AS ILLUSTRATED AND ATTACHED.

8. Statement from Audience:

The members of the public may make statements. Are there any statements from the audience?

9. Staff Statements:

Members of the Village of Waterman staff may make statements. Are there any statements from staff members?

PROPOSED BUILDING SF IS 1,680 SF ORDINANCE CALLS FOR 1,000 SF.

16' WALL PROPOSED, 10' WALL IN ORDINANCE.

10. Findings of Fact:

The findings of fact will be completed during the Zoning Board of Appeals deliberation at the end of this hearing.

11. Presenters Final Statement:

Do the Applicant(s) have any final statements? NO STATEMENT

12. Close Public Input Portion:

I will entertain a motion to close the public input of this section of the hearing.

*Motioned*___RICH GEORGE___ *Second*___SHAWN BLOBAUM___

All in Favor signify by saying Aye. All those opposed Nay.

Vote: #4 RG, KH, JW, SB__ Approved #0_____ Denied

H. PUBLIC HEARING: *Variance Request for 310 S Hickory Oversize Garage*

WE WILL NOW HEAR FROM THE SECOND APPLICANT AND REPEAT THE HEARING PROCESS.

7. Application Oral Presentation:

The applicant(s): *Variance Request to Farm Undeveloped Land in Residential R1 Zoning in Deerfield Crossing*

The presenter(s) may now make their presentation, including answers to the three questions:

In what respect do you want the Village of Waterman Zoning Ordinance varied, or the decision of the Zoning Administrator changed?

What, if your opinion, is the undue hardship or difficulty in complying with the Village of Waterman Zoning Ordinance or the decision of the Zoning Administrator?

What hardship would result in the strict application of the Village of Waterman Zoning Ordinance, or the decision of the Zoning Administrator?

8. Questions of Presenter:

The members of the Zoning Board of Appeals and the public may ask questions of the applicants at this time. Do the board members and the public have any questions?

9. Statement from Audience:

The members of the public may make statements. Are there any statements from the audience?

NONE

10. Staff Statements:

Members of the Village of Waterman staff may make statements. Are there any statements from staff members?

AMY: COUNTY ZONING MAY REFLECTS A1 WHERE THE VILLAGE MAP NEEDS TO BE UPDATED. FARMED AREAS ARE ZONED AS A1. ALMANAR PROPERTY IS ZONED AS R1

11. Findings of Fact:

The findings of fact will be completed during the Zoning Board of Appeals deliberation at the end of this hearing.

12. Presenters Final Statement:

Do the Applicant(s) have any final statements? NO ONE PRESENT

13. Close Public Input Portion:

I will entertain a motion to close the public input of this section of the hearing.

Motioned ___RG___ Second ___SB___

All in Favor signify by saying Aye. All those opposed Nay.

Vote: #4 RG, SB, JW, KH Approved. #_0 Denied

I. CLOSE PUBLIC HEARING

I will entertain a motion to close the public hearing.

Motioned ___JW___ Second ___SB___

All in Favor signify by saying Aye. All those opposed Nay.

Vote: #4 RG, KH, JW, SB Approved #0__ Denied

J. ZBA DELIBERATION

The Zoning Board of Appeals will now begin its deliberation by conducting the Findings of the Fact. This is the summary of the testimony given during the public hearing which focuses on the validity of the alleged hardship and the effect of the proposed variation on the subject property as well as adjoining property. The Findings of the Fact:

Applicant #1: Variance Request to Farm Undeveloped Land in Residential R1 Zoning in Deerfield Crossing

1. *Would the Applicant's property yield a reasonable return if the variation were denied?*
YES
2. *Do special circumstances or unusual conditions exist on the property?*
NO PLANNED UNIT DEVELOPMENT
3. *Will the proposed variation merely serve as a convenience to the Applicant?*
YES
4. *Will the proposed variation relieve a demonstrated hardship?*
OWNER WAS AWARE THAT MOWING OF PROPERTY IS REQUIRED
5. *Is the alleged hardship self-imposed?*
6. *Has the hardship been created by any person having a proprietary interest in the premises?*
NO
7. *Will the proposed variation be harmful to the public health, safety, comfort, morals, or welfare of the residents and property owners of (Municipality Name)?*
NO
8. *Will the proposed variation impair adequate light and air to the Subject Property and/or adjacent properties?*
NO
9. *Will the proposed variation increase congestion on any public street to the point of being hazardous to the public well-being?*
NO
10. *Will the proposed variation increase the risks of fire not only to the Subject Property, but to adjacent property?*
NO
11. *Will the proposed variation alter the essential character of the neighborhood?*
YES

12. Will the proposed variation be in harmony with the spirit and intent of the Village of Waterman Zoning Ordinance?
NO

13. The Board of Appeals may impose such conditions and restrictions upon the location, construction, design, and use of the property benefited by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect the value of adjacent property in the neighborhood. If there are any conditions or restrictions, specify them below:

Applicant #2: Variance Request for 310 S Hickory Oversize Garage

NO AUDIENCE/PUBLIC OBJECTED TO PROJECT

1. Would the Applicant's property yield a reasonable return if the variation were denied?
NO CHANGE
2. Do special circumstances or unusual conditions exist on the property?
YES, OVERSIZED LOT.
3. Will the proposed variation merely serve as a convenience to the Applicant?
VAGUE DETERMINATION ON CONVENIENCE
4. Will the proposed variation relieve a demonstrated hardship?
POTENTIALLY, AS THE NEED FOR STORAGE
5. Is the alleged hardship self-imposed?
DISCUSSED AS SPECIFIC TO WHO LIVES IN THE RESIDENCE.
6. Has the hardship been created by any person having a proprietary interest in the premises?
HOMEOWNER DID NOT CREATE THE HARDSHIP
7. Will the proposed variation be harmful to the public health, safety, comfort, morals, or welfare of the residents and property owners of VILLAGE OF WATERMAN?
NO
8. Will the proposed variation impair adequate light and air to the Subject Property and/or adjacent properties?
NO
9. Will the proposed variation increase congestion on any public street to the point of being hazardous to the public well-being?
NO
10. Will the proposed variation increase the risks of fire not only to the Subject Property, but to adjacent property?
NO

11. Will the proposed variation alter the essential character of the neighborhood?
AS EXISTING NON-COMPLIANT STRUCTURES IN AREA, THE BUILDING WOULD NOT SIGNIFICANTLY CHANGE THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD.

12. Will the proposed variation be in harmony with the spirit and intent of the Village of Waterman Zoning Ordinance?
RG – RECOMMEND TO THE VILLAGE BOARD ONE WAY OR THE OTHER

13. The Board of Appeals may impose such conditions and restrictions upon the location, construction, design, and use of the property benefited by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect the value of adjacent property in the neighborhood. If there are any conditions or restrictions, specify them below:

ZONING REGULATES THE LAND, ALIGN OUT BUILDING WITH HOUSE STRUCTURE.

K. ZONING BOARD OF APPEALS RECOMMENDATION TO GRANT, DENY, OR AMEND THE ZONING VARIATION REQUESTS

I will entertain a motion to recommend the variance request to farm undeveloped land in Residential R1 Zoning in Deerfield Crossing to the Village of Waterman Board of Trustees for final approval.

Motioned SB Second RG

Roll Call Vote

NO John Ecker NO Shawn Blobaum NO Jolene Willis

NO Rich George NO Kyle Hart

0 Approved # 5 Denied

I will entertain a motion to recommend the variance request for 310 S Hickory oversize garage to the Village of Waterman Board of Trustees for final approval.

Motioned SB Second RG

Roll Call Vote

NO John Ecker NO Shawn Blobaum NO Jolene Willis

NO__Rich George_ NO__Kyle Hart

#__0__ Approved #__5__ Denied

I will entertain a motion to recommend the variance request for 310 S Hickory oversize garage to the Village of Waterman Board of Trustees for final approval.

*WITH THE CONDITIONS THAT THE WEST OF THE NEW BUILDING ALIGNS WITH (OR IS FURTHER EAST THAN (WITHOUT IMPEDING WITH EAST LOT SETBACK
) THE WEST SIDE OF THE RESIDENCE.*

Motioned__SB__ Second__JW__

Roll Call Vote

YES__John Ecker YES__Shawn Blobaum YES__Jolene Willis

YES__Rich George _NO__Kyle Hart

#__4__ Approved #__1__ Denied

Any audience members are welcome to attend the next board of trustees meeting but public input will be very limited.

MOTION KH SECOND SB

APPROVED UNANIMOUSLY

FURTHER DISCUSSION WITH VILLAGE ATTORNEY BILL PORTER

NO ONE OBJECTED TO PROJECT

9-3 A-2 POWERS

B.

I

A

REASONABLE RETURN

BUILDING NOT OUTSIDE THE NORM OF SIMILAR BUILDINGS IN AREA

B

THE OWNER MAY BE AFFORDED LEANLANCE CONSIDERING THE LARGE LOT

THE CONSENSUS WAS THAT THIS CASE FITS THE SPIRIT OF A VARIANCE TO GO OUTSIDE OF ZONING/ORDINANCE RESTRICTIONS. BILL PORTER STATED THAT HE FELT THE COMMITTEE DID DUE DILEGENCE TO FIND THE RESOLUTION FOR THIS

MATTER EVEN IF THE CRITERIA DID NOT EXACTLY FIT THE SCRIPT. ALSO, THAT THERE WAS PRECEDENCE FOR THIS TYPE OF VARIANCE APPROVAL.

L. ADJOURN

I will entertain a motion to adjourn the public hearing.

Motioned ____ *RG* ____ *Second* ____ *JW* ____

All in Favor signify by saying Aye. All those opposed Nay.

Vote: # 5 Approved # 0 Denied

8:45 P.M.