

**VILLAGE OF NEW BERLIN
ZONING BOARD MINUTES
Tuesday, November 16, 1999**

The New Berlin Zoning Board met on November 16, 1999 at 7:00 p.m. with Members Ed Cantrall, James Copeland, Bill Roach, Chairman Prince, and Marsha Sweet, Recording Secretary. John Frank, Member, abstained from the meeting due to the conflict of interest in the matter. The meeting was detained a few minutes for Kevin DeGroot who was going to be a few minutes late. Kevin DeGroot did arrive within a short time. The purpose of the meeting was to hear three petitions for variances by Mike Clayton.

Bill Roach asked Mike Clayton if there would be a conflict of interest since Roach was an employee of the Bank. Mike Clayton said he did not have any objection to Roach voting on the matter.

Mike Clayton's first request was for a variance to construct a 91' x 20' commercial mini storage building on his north lot located at 107 N. Olive St. The building will be one foot off the rear yard (west). As required by Ordinance, the rear yard set back is 20 ft. There were no objections from adjoining property owners to this variance request. A motion was made by Roach and seconded by DeGroot to make the recommendation to the Village Board to approve this variance. Roll call was taken and passed unanimously.

Clayton's second request was for a variance to construct a 24' x 24' garage for personal use five feet from the south line on his property located at 204 S. Henry. There were no objections from adjoining property owners to this variance request. A motion was made by Roach and seconded by DeGroot to make the recommendation to the Village Board to approve this variance. Roll call was taken and passed unanimously.

Clayton's third request was for a variance to construct a commercial mini storage building on property located on N. Oak St. A building permit was approved by the Village Building Inspector prior to Clayton's beginning construction of the building. Due to the error of issuing the permit, Clayton was written a letter requesting the stopping of construction until a variance could be granted. A variance is needed because the building covers more than 75% of the lot and the rear property line is to be 20 ft from the building. The east line (rear) is on the line. John Frank, adjoining property owner was present and voiced his concerns to the placement on the east line which he felt could be on his property and to the south line. Clayton had a survey done of the property. The findings of the survey were that the building is on the north line and 3 ft 10 inches from the south line. It was also clarified that the doors would not open out onto the south, and the building would have one foot overhangs on the south, none on the east. A motion was made by Cantrall and seconded by Chairman Prince to make the recommendation to the Village Board to not approve the variance based on the objection of the adjoining property owner, John Frank. Roll call was taken and passed with three Aye votes

ZONING BOARD MINUTES

November 16, 1999

Being no further business, the meeting was adjourned with a motion being made by DeGroot and seconded by Roach. Motion carried on a voice vote.

A handwritten signature in cursive script that reads "Marsha J. Sweet". The signature is written in black ink and is positioned above the printed name and title.

Marsha J. Sweet
Recording Secretary

VILLAGE OF NEW BERLIN, ILLINOIS 10/13/99

APPLICATION FOR BUILDING PERMIT

NO. 777

FOR NEW BUILDINGS, AND TO MAKE ADDITIONS, ALTERATIONS
REPAIRS, BASEMENTS, AND FOUNDATIONS

NEW BERLIN, ILL. 10-14-99

BUILDING LOCATED NORTH OAK.

TYPE OF BUILDING STORAGE BUILDING

PROPOSED USE COMMERCIAL

USE DISTRICT COMMERCIAL AREA DISTRICT _____

LOT NO. AND LEGAL DESCRIPTION 005-005 ORIGINAL TOWN

LOT SIZE _____ WIDE 40 47' 8 1/2" DEEP

BUILDING SIZE _____ WIDE 39' 4 3/4" LONG 38' 11 1/2" FT. HIGH ONE STORIES

OWNER'S NAME MIKE CLAYTON ADDRESS NEW BERLIN ILL

ARCHITECT _____ ADDRESS _____

CONTRACTOR _____ ADDRESS _____

VOLUME OF BUILDING _____ CUBIC FT. ESTIMATED COST \$ 10,000 00

ATTACHED TO THE ORIGINAL OF THIS APPLICATION IS A PLAT OR FLOOR PLAN OF THE PROPOSED CONSTRUCTION, SHOWING POSITION OF IMPROVEMENT ON PROPOSED BUILDING SITE, TOGETHER WITH DISTANCES AND DIMENSIONS.

THIS APPLICATION APPROVED BY BUILDING INSPECTOR Bill Cook

THE APPLICANT HEREBY AGREES THAT THE APPROVAL OF PLANS, OR THE ISSUING OF A PERMIT, PROCURED BY MISREPRESENTATION OF FACTS OR CONDITIONS, MISSTATEMENT IN APPLICATION, OR THROUGH IMPROPER ACTION OF ANY OFFICER OR EMPLOYEE OF THIS DEPARTMENT, DOES NOT LEGALIZE AN ILLEGAL CONSTRUCTION, ARRANGEMENT OR CONDITION.

30.11.99
30.11.99
30.11.99
X Joseph M. Clayton
OWNER OR AGENT

BUILDING PERMIT NO. 777 FEE FOR BUILDING PERMIT \$ 10,000

THIS APPLICATION FOR BUILDING PERMIT IS NOT VALID UNLESS MARKED "PAID" BY VILLAGE TREAS.

10/10/99 = 10/10/99
10/10/99 = 10/10/99

ZONING BOARD OF APPEALS
VILLAGE OF NEW BERLIN, ILLINOIS

I (We) JOSEPH M. CLAYTON and CLAYTON PROPERTIES
of P.O. BOX 312 NEW BERLIN, IL.
(Address)

respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal:

(Check and complete the applicable appeal)

- 1. An interpretation of Section _____ of the Zoning Ordinance.
- 2. An interpretation of a _____ District Boundary of the Zoning Map.
- 3. A review by the Board of Appeals to interpret whether a _____ shall be permitted in a _____ Commercial District,
(Type of Use)
- 4. A review by the Board of Appeals to interpret and recommend approval or disapproval of the use of a building or premise for an Industrial purpose in an Industrial District.
- 5. A request to amend (or re-zone) a Zoning District from a _____ District to a _____ District.
- 6. A request to establish, place or erect a _____.
(Type of Use or variance)
- 7. A variance to the LOT area (height) LOT coverage (REAR yard) (OFF-STREET LOADING) provisions of the Zoning Ordinance.
(other)

Describe the appeal being requested more specifically. (i.e. Type of use, type and dimensions of structure, dimension of yard variance, etc.).

CONSTRUCT COMMERCIAL RENTAL STORAGE BUILDING:
VARIANCES TO 40-4-3 REQUIRED LOT AREA; 40-4-4 PERCENTAGE
OF LOT COVERAGE; 40-4-5 YARDS REQUIRED (20FT REARYARD);
40-4-7 BOFF-STREET LOADING SPACES

(see reverse side)

The premises are situated at NORTH OAK ST. NEW BERLIN, IL

in a COMMERCIAL District.

Lot No. (s) 005 of ORIGINAL TOWN OF NEW BERLIN
(Addition, Subdivision, etc)

Total Property Dimensions: 47' 8 1/2" wide 40' deep. 1910 SQ FT.

Does applicant own the property? Y

What is the approximate cost of the work involved? \$ 10,000.00

Present Property Use VACANT

(check one)

I hereby request that this appeal be considered at the next regularly scheduled hearing of the Zoning Board of Appeals. N/A
(NO FEE).

I hereby request that this appeal be considered as promptly as a hearing can be arranged, due notice given and advertisement made. Attached is a check in the amount of \$ 100.00 payable to the Village of New Berlin as payment of the necessary filing fee. (~~Interpretations-\$20.00. Variations and amendments-\$50.00~~). N/A

I further state that if this request is granted, I will proceed with the actual construction within one year from the date of approval of this appeal.

Date _____

[Signature]
(Signature of Applicant)

Telephone No. _____

(Signature of Applicant)

***** FOR USE OF ZONING BOARD OF APPEALS ONLY *****

Hearing Advertised _____

Date of Hearing Nov. 16, 1999.

Decision of the Zoning Board of Appeals: Recommend denial of variance request.

Ronald E. Price, Chairman
(Signature)

(Signature)

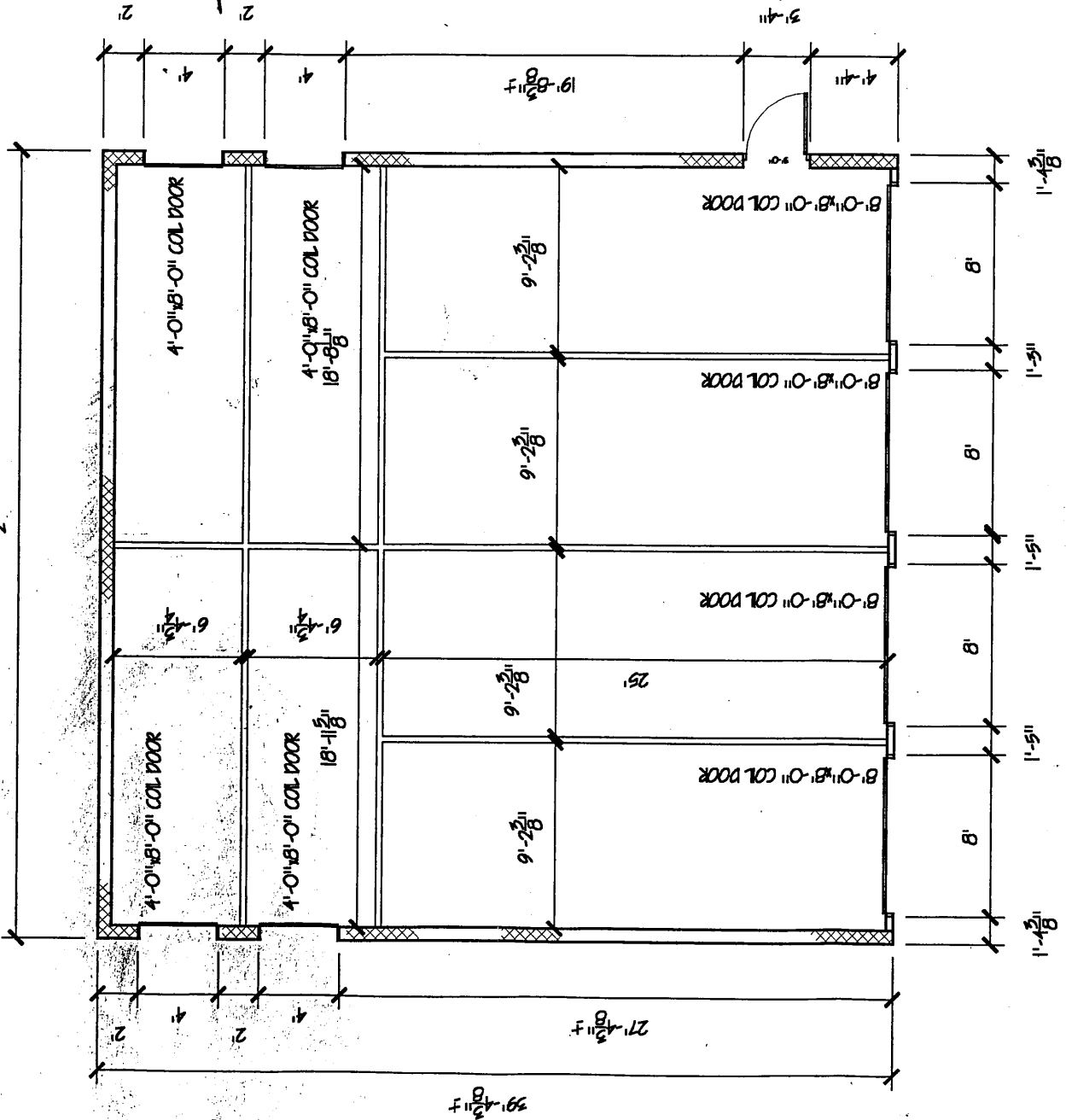
6039

10' WALLS

1 FT. OVERHANG
(N, S, E)

3 FT OVERHANG
(WEST)

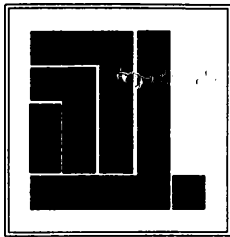
EXISTING SLAB APPROX.
37'-7-3/4" x 38'-4-1/4"
W/ 9" LEDGE FOR BLOCK



DRWG 1: FLOOR PLAN SCALE: 1/8\" = 1'-0\"
 STORAGE BLDG IN NEW BERLIN
 FOR MIKE CLAYTON

AREA = 1312 SF.





MOSS, JOHNSON & ASSOCIATES, LTD.

ENVIRONMENTAL ENGINEERS -- LAND SURVEYORS -- PLANNERS
P. O. BOX 3296, SPRINGFIELD, ILLINOIS 62708-3296 FAX(217) 566-3312 (217) 529-5534

November 16, 1999

Mr. Mike Clayton
New Berlin, IL 62670

Dear Mr. Clayton:

Per your request, I have made investigations of property deeds, physical dimensions of the building you are currently constructing and that building's location in relation to your property lines.

Your recorded deed states that you own the north 44.17 feet of the west 40 feet of Lot 36 in Original Town of New Berlin. The deed of your neighbor to the South is for the south 50 feet of the west 40 feet of said Lot 36 and the east 5.84 feet of Lot 36.

Lot 25, to your immediate north, is recorded as being 94.17 feet north to south dimension with a 15 foot wide alley between Lots 25 and 36.

I located an iron pipe marking the northwest corner of Lot 25. The distance from that pipe to the northwest corner of your new building measured 109 feet which places your building at the north line of your property. I then measured southerly along the front of your building and found it to be 40.2 feet in width. Since you own 44.17 feet, your building lies wholly within your property. The total distance measured from the north line of your new building to the back of the sidewalk along Old Route 36 thru New Berlin was 95.3 feet. There seems to be no conflict, as your 44 feet and your neighbors 50 feet are both available for use.

Respectfully,

Ronald E. Moss

Ronald E. Moss, PLS

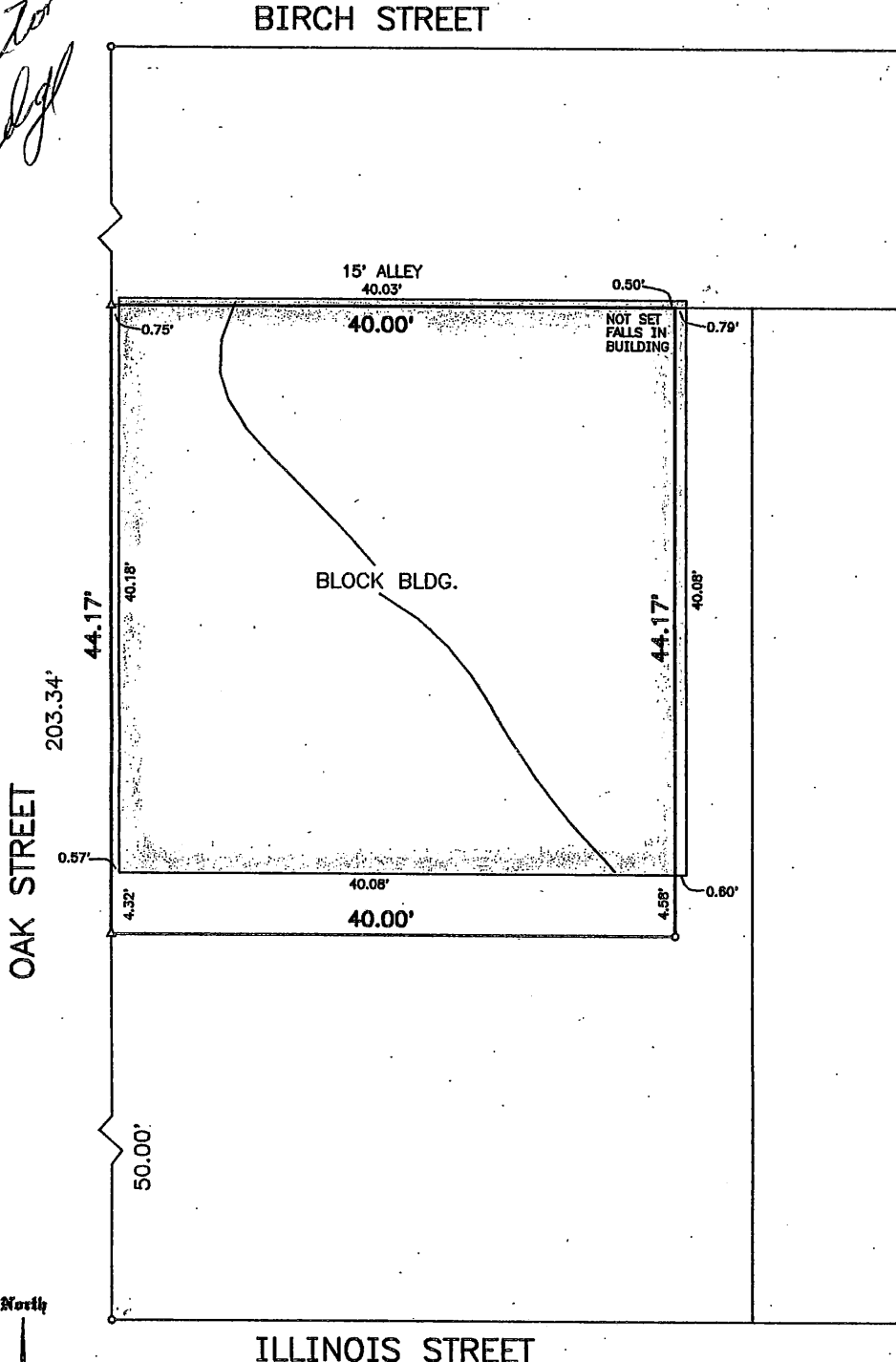
REM/ib



PLAT OF SURVEY

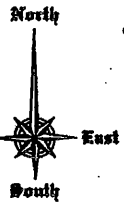
THE WEST 40.00 FEET OF THE NORTH 44.17 FEET OF LOT
36, TOWN OF NEW BERLIN, ILLINOIS.

*Mike
C. Clayton
Bldg*



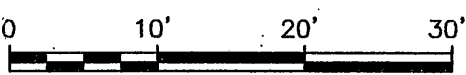
OAK STREET

ILLINOIS STREET



—○— DRILL HOLE
—●— IRON PIPE

SCALE 1" = 10'-0"



DECEMBER, 1999

I DO HEREBY CERTIFY THAT IN THE MONTH OF DECEMBER 1999
A SURVEY WAS MADE UNDER MY DIRECTION OF THE ABOVE DESCRIBED
PROPERTY AND THE FOREGOING PLAT CORRECTLY REPRESENTS THE
RESULTS OF SAID SURVEY.

JOHN L. RAYNOLDS, INC.
35-2254
SURVEYOR
STATE OF ILLINOIS
SPRINGFIELD, ILLINOIS



JOHN L. RAYNOLDS, INC.
LAND SURVEYING, PLANNING & ENGINEERING
5201 S. Sixth St., Springfield, IL 62703-5143
(217)-241-3500