

**NEW BERLIN ZONING BOARD OF APPEALS****September 27, 2006**

The New Berlin Zoning Board of Appeals met on September 27, 2006 at 7:00 p.m.

Chairman Berry opened the meeting with the calling of the roll. Present were Chairman Berry; Members, Artie Hatfield, Gene Rhodes, Ed Cantrall, Vince King and Marsha Sweet. Absent was Member Keyser.

A motion was made by Member Hatfield and seconded by Member Rhodes to waive the reading of the September 20, 2005 minutes. Motion carried on a voice vote.

**OLD BUSINESS** –

**NEW BUSINESS** – Brian Spangler requested a variance to replace an existing 12' x 60' mobile home with a 10' x 40' travel trailer on property located at 404 S. Jackson St. Mr. Spangler explained to the Zoning Board members the improvements he plans to make to the property and that he would make the trailer his permanent residence.

John McCullough, resident of S. Washington St., whose property is located near the subject property, spoke of his objections to the approval of this variance. His objections were that a mobile home depreciates the surrounding property, that there is an existing mobile home on the lot next to this property and to the type of trailer being placed on the property. According to Mr. McCullough, the property has been allowed to depreciate.

Mr. McCullough also pointed out the purpose of the Zoning Board of appeals is to protect investments of property owners.

The Board discussed the issue and viewed a picture of the trailer Mr. Spangler plans to place on the property. As pointed out by several Zoning Members, the 10' x 40' trailer was a fifth-wheel travel trailer and not a mobile home. After discussion, Member Cantrall made a motion and Member Rhodes seconded to make a recommendation to the Village Board of New Berlin to not approve Mr. Spangler's variance request due to the type of trailer he plans to place on the property and to the objection of a property owner. Roll Call was taken and passed with Members Hatfield, Cantrall, Rhodes, King and Sweet voting Aye, 0 Nay, Member Keyser, Absent

Patrick Newman who owns property at West Birch and County Rd. 10 (Windrow Subdivision) has made a request for a rezoning of 3.152 acres from Residential to Commercial. Mr. Newman stated this particular area was better suited as commercial use than residential use. He has no specific intentions, at this time, as how the property would be used as commercial use.

After questions and discussion from the Committee and audience, a motion was made by Member Hatfield, and seconded by Member Sweet to make the recommendation to the

New Berlin Village Board to approve the rezoning of this property from Residential to Commercial. Roll call was taken and passed with Members Rhodes, Cantrall, Hatfield, and Sweet voting Aye; King abstained, and Member Keyser absent.

It was noted that the final approval on these two variance requests will be made by the New Village Board at their scheduled meeting, October 18, 2006.

The meeting was adjourned at 8:05 p.m. with a motion by Member Hatfield and seconded by Member Cantrall. Motion carried on a voice vote.

A handwritten signature in cursive script, appearing to read "Marsha Sweet".

Marsha Sweet, Recording Member

CERTIFICATE OF PUBLICATION IN THE NEW BERLIN BEE

STATE OF ILLINOIS  
COUNTY OF SANGAMON, SS  
VILLAGE OF NEW BERLIN

**Public Notice**

The Zoning Board of Appeals of the Village of New Berlin will meet Wednesday, September 27 at 7 p.m. at the New Berlin Village Hall to review the following requests:

A variance for removal and replacement of Mobile Home with newer Mobile Home at 404 South Jackson made by Brian Spangler.

Zoning change portion of Windrow Subdivision vacant land zoned for residential request change to commercial. Property is adjacent to County Hwy. 10 and Old 36 Route 54 entering Birch approximately 3.153 acres.

All interested parties are welcome to attend this meeting.  
Timothy Berry, Chairman  
Zoning Board of Appeals  
NB:9-8

The undersigned Joseph Michelich, publisher of THE NEW BERLIN BEE, a secular newspaper of general circulation in said county, printed and published in the aforesaid Village of Pleasant Plains county of Sangamon and state of Illinois, does hereby certify that a notice of which the annexed is a true copy has been regularly published in said newspaper one time each week for one successive weeks.

The first publication of said notice was on the 8th day of September, A.D., 20 06 and the last said publication was on the 8th day of September, A.D., 20 06. And the undersigned does further certify that the said New Berlin Bee has been and was regularly published in said city, county and state for at least six months prior to the first publication of said notice.

In Witness whereof the undersigned publisher as aforesaid has hereunto set his hand and seal on this 8th day of September, A.D., 20 06.

*Joseph Michelich*  
\_\_\_\_\_  
Publisher

Subscribed and sworn to before me this 8th day of September, A.D., 20 06.

"OFFICIAL SEAL"  
PATRICE HUBER  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 9/14/2009

*Patrice Huber*  
\_\_\_\_\_  
Notary Public

Date 8/30/06

ZONING BOARD OF APPEALS  
VILLAGE OF NEW BERLIN

I (~~we~~) MADISON CENTER, LLC and 40 PATRICK NEWMAN  
of 3700 MAPLE HILL LANE NEW BERLIN, IL 62670  
(Address)

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

(Circle 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 RESIDENTIAL District to a COMMERCIAL District.
6. A request to establish, place or erect a \_\_\_\_\_ (Type of Use or Variance)
7. A variance to the (area) (height) (coverage) (\_\_\_\_\_ yard) (\_\_\_\_\_) 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.).

CHANGE A PORTION OF THE WINDROW SUBDIVISION  
FROM CURRENT RESIDENTIAL ZONING TO COMMERCIAL  
DISTRICT. SEE PRELIMINARY PLAN ATTACHED.

The premises are situated at (SEE PROPOSED PLAT ATTACHED)

in a \_\_\_\_\_ District.

Lot No. (s) \_\_\_\_\_ of \_\_\_\_\_

(Addition, Subdivision, etc.)

Total Property Dimensions: \_\_\_\_\_ wide \_\_\_\_\_ deep

Does applicant own the property? YES

What is the approximate cost of the work involved? UNKNOWN AT THIS TIME

Present Property Use VACANT LAND - PLATTED FOR RESIDENTIAL USE.

(Circle One)

- 1. I hereby request that this appeal be considered at the next regularly scheduled hearing of the Zoning Board of Appeals. (NO FEE)
- 2. 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.

CK #1163

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 8/30/06

[Signature]

(Signature of Applicant)

Telephone No. 217-306-2531  
217-488-2400

(Signature of Applicant)

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

Hearing Advertised Sept. 5, 2006.

Date of Hearing Sept 27, 2006.

Decision of Zoning Board of Appeals: \_\_\_\_\_

\_\_\_\_\_

(Signature)

(Signature)

DATE SURVEYED  
 THIS PROFESSIONAL SERVICE COMPLIES TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR # 2390

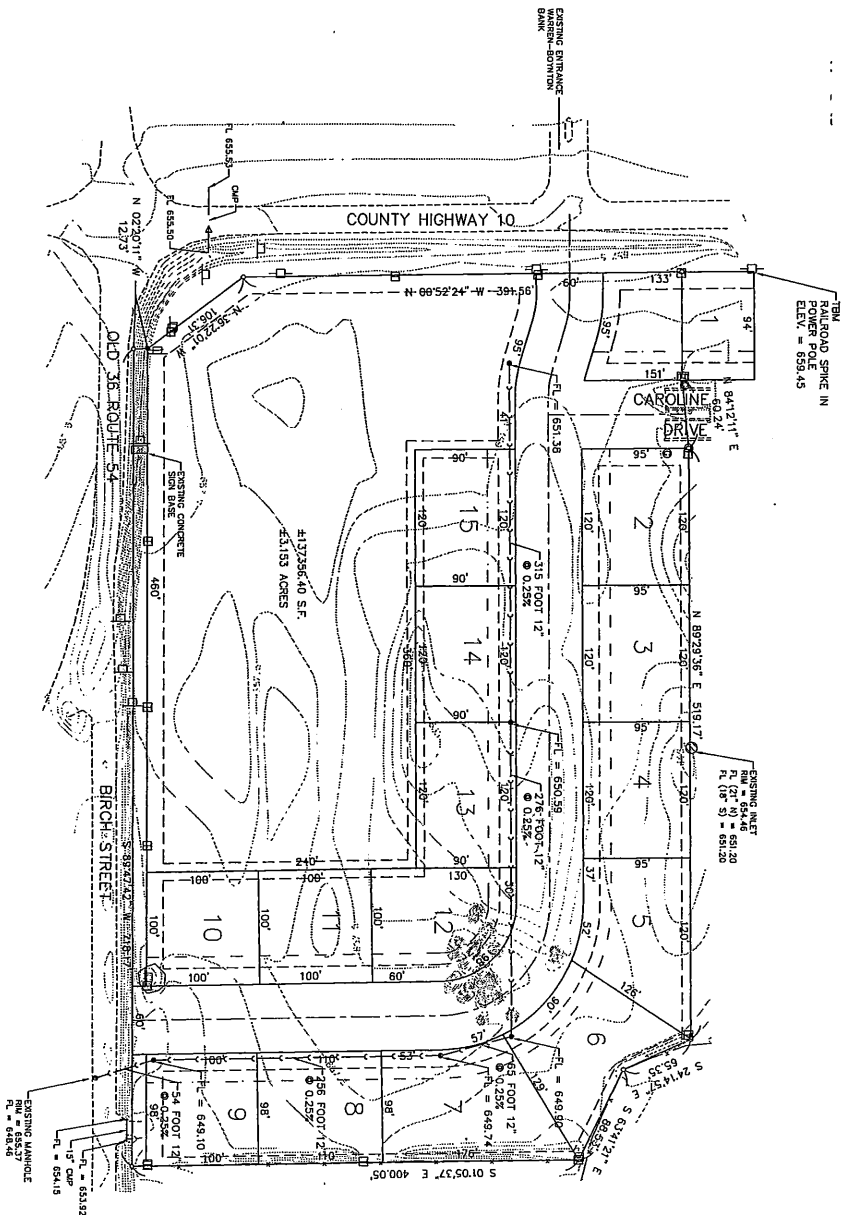
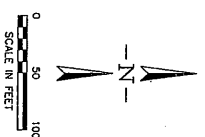


EXPIRES: 11/20/08

- LEGEND
- IRON PIPE
  - IRON PIN
  - ELECTRIC
  - TELEPHONE PED
  - CONCRETE
  - CONCRETE
  - POWER POLE
  - FENCE
  - STORM SEWER

"UNDERGROUND FACILITIES, STRUCTURES, AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS. THEREFORE, THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN."

AREA = ± 8.647 ACRES



CONCEPTUAL PLAN

TOTAL SHEETS: 148 THIS SHEET: 148 CONSTRUCTION: 1" = 50' DATE: 07/02/08 SHEET NO. 1 OF 1 SHEETS	CONCEPTUAL PLAN WINDROW SUBDIVISION PLAT NO. 4 NEW BERLIN, ILLINOIS X		GREENE & BRADFORD, INC. OF SPRINGFIELD CONSULTING ENGINEERS 1501 CONSTITUTION DRIVE SPRINGFIELD, ILLINOIS 62711 PROFESSIONAL DESIGN FIRM NO. 104-001179 PROFESSIONAL LAND SURVEYING FIRM NO. 048-000098 (217) 793-8844, 793-6227 (F), E-MAIL - cad@greeneandbradford.com	DATE: 07-05-06 SURVEYED: DEFRATES DRAWN: DEFRATES CHECKED: DEFRATES APPROVED:	REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>BY</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	BY	REVISION									
	DATE	BY		REVISION													