

August 5, 2003

Minutes of the meeting of the Zoning Board of Appeals of the Village of New Berlin Il..

Chairman Don Prince called the meeting to order at 7:30 p. m..

Roll Call was taken. Members present were Tim Berry, Ed Cantrall, Artie Hatfield, and Gene Rhodes. Members absent were Roger Keyser, Greg Patterson, and Marsha Sweet.

A motion was made by Tim Berry to waive the reading of the minutes of the last meeting and was seconded by Gene Rhodes. The motion was approved by voice vote.

The petition for a side yard variance for the property owned by Ryan Sours of 204 N. Benton St., New Berlin, Il. was read to the members by Chairman Don Prince.

The petition requests a variance for the construction of a 12 feet six inches wide by twenty-one feet deep garage within one foot of the north property line of Sours' property. The garage would be attached to the house and would be used only for the storage of a personal vehicle and lawn equipment.

Member Tim Berry expressed concern about the overhang of the building extending into the neighbor's property, and the placement of guttering on the overhang and downspouts that would divert water onto the neighboring property.

Gene Rhodes asked if any complaints had been expressed by anyone.

Chairman Prince answered that as of the time of this meeting, there had been none.

Petitioner Ryan Sours addressed the Board and made assurances that he was willing to do whatever the Board felt necessary to protect the rights of his neighbor.

Tim Berry made a motion that the Zoning Board of Appeals recommend to the Village Board that Sours be granted a variance to construct a garage with the foundation no closer than one foot to the north property line of his property. The variance should also stipulate that any overhang on the north side of the garage not exceed six inches from the wall, that any gutter attached to the overhang not be more than five inches, and that any downspouts must divert water to the east or west so as not to run water onto the neighbor's yard.

Ed Cantrall seconded the motion.

A roll call vote was taken. Tim Berry, Ed Cantrall, Artie Hatfield, and Gene Rhodes all voted yes on the motion.

Chairman Prince informed Ryan Sours that the Zoning Board would recommend to the Village Board that his request for a variance be approved, but the Village Board would make the final decision.

Artie Hatfield made a motion to adjourn the meeting, which was seconded by Ed Cantrall.

All members voted to adjourn the meeting. Chairman Don Prince adjourned the meeting at 8:00 p. m..

Submitted by,



Don Prince, Chairman

**Public Notices**

**NOTICE OF  
PUBLIC HEARING**

The Zoning Board of Appeals of the Village of New Berlin will meet at 7:30 p.m., on Aug. 5, 2003, at the New Berlin Village Hall to hear a petition requesting a side yard variance for the north property line of the property located at 204 N. Benton Street in New Berlin, Illinois.

Ryan Sours, owner of this property, has requested a variance to allow for the construction of a garage one foot from the property line for the storage of a private vehicle and lawn equipment.

All interested parties are welcome to attend this meeting.

**Donald E. Prince  
Chairman,  
Zoning Board of Appeals**

Date 6/26/03

ZONING BOARD OF APPEALS  
VILLAGE OF NEW BERLIN, ILLINOIS

I (We) Ryan Sours and Jennifer Sours  
of 204 N. Benton St (P.O. Box 236)  
(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 (area) (height) (coverage) (SIDE 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.).

REQUEST SIDE YARD VARIANCE TO 1 FOOT FROM THE  
NORTH LOT LINE. FOR CONSTRUCTION OF AN ATTACHED GARAGE  
12'6" WIDE X 21 FT DEEP FOR PERSONAL USE. STORAGE  
OF PRIVATE VEHICLE & LAWN EQUIPMENT.

(see reverse side)

The premises are situated at 204 N. BENTON ST. NEW BERLIN, IL.

in a RESIDENTIAL District.

Lot No. (s) 20-20.0-365-002 of YATES 2ND ADDN.  
(Addition, subdivision, etc)

Total Property Dimensions: 50 FT wide 100 FT deep.

Does applicant own the property? YES

What is the approximate cost of the work involved? \$ 3,000.00

Present Property Use CAR PORT

(check one)

I hereby request that this appeal be considered at the next regularly scheduled hearing of the Zoning Board of Appeals. (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 \$ \_\_\_\_\_ payable to the Village of New Berlin as payment of the necessary filing fee. (Interpretations-\$20.00. Variations and amendments-\$50.00).

ZONING HEARING \$100.00 PAID CK# 2098

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 6/26/03

[Signature]  
(Signature of Applicant)

Telephone No. 488-6299

\_\_\_\_\_  
(Signature of Applicant)

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

Hearing Advertised July 18, 2003.

Date of Hearing August 5, 2003.

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

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

State of Illinois )  
 ) ss.  
County of Sangamon )  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Printed Copy of Notice

Queens on North Grand and in Sherman. They can also be ordered at 217-544-5487, or www.cenil.com/cmj or cmj@fgi.net. A portion of all proceeds benefits Children's Miracle Network.

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Donald E. Prince  
Chairman,  
Zoning Board of Appeals

**CERTIFICATE OF PUBLICATION**

In the \_\_\_\_\_ Court  
To the \_\_\_\_\_ Term, A.D. 20\_\_\_\_

State of Illinois )  
 ) ss.  
County of Sangamon )

I, the undersigned, Nancy P. Copelin do hereby certify that I am the publisher of the County Tribune. That said County Tribune is a public and secular newspaper of general circulation published weekly in the Village of New Berlin, County of Sangamon, State of Illinois, and that the same has been regularly published for twelve months prior to the day of the first publication of the notice hereinafter mentioned. I further certify that the notice, of which the annexed is a true printed copy, has been regularly published in said newspaper 1 times, once in each week for 1 successive weeks, the first publication thereof having been made in the issue of said newspaper published on July 18, 2003, and the last publication thereof having been made in the issue of said newspaper published on July 18 2003 the same being regular days for the publication of said newspaper.

I further certify that said newspaper is a newspaper as defined in 'an Act to revise the law in relation to notices' as amended by Act July 17, 1959--III. Revised Statutes, Chap. 100, Para. 1 & 5.

IN WITNESS WHEREOF, I have hereunto set my hand at New Berlin in said County and State this 1st day of August, A.D. 2003

Publication Fee, \$ 8.00

Signed Nancy Copelin  
Received payment from \_\_\_\_\_

Subscribed and sworn to before me this 1st day of August, 2003.

Marcella J. Camerer  
Notary Public

