

NEW BERLIN ZONING BOARD OF APPEALS
December 8, 2003

The New Berlin Zoning Board of Appeals met on December 8, 2003 at 7:00 p.m. to hear a petition presented by the New Berlin Township requesting a re-zoning of Lots 97 and 98 from Residential to Commercial. The purpose of the re-zoning was for the construction of a 50' x 80' building to enclose road construction equipment.

Chairman Berry opened the meeting with the calling of the roll. Present were Chairman Berry, Members, Artie Hatfield, Charles Rhodes, Roger Keyser, Ed Cantrall, Vince King and Marsha Sweet.

OLD BUSINESS – A motion was made by Member Hatfield and seconded by Member Rhodes to waive the reading of the November minutes. Motion carried on a voice vote.

NEW BUSINESS - - Richard King, New Berlin Township Supervisor, was recognized to explain his request for the re-zoning petition. Rich King introduced Dwight "Cap" O'Keefe, Attorney, who asked several questions of Rich King: Name, Address, and a brief description of the petition request. Rich King stated the need to construct a building due to a Township rule requiring road construction equipment be kept enclosed within a building and that all repairs be done within the closure. The placement of the building on the lots meet all zoning regulations including height and total lot square foot coverage.

COMMENTS FROM THE AUDIENCE

Dale Clements voiced his concern on the depreciation value of the adjacent properties. Mr. Clements owns a 4-plex north of the lots being petitioned for re-zoning. He also stated that maintenance of the property had not been done in the past. He questioned if whether a rock pile storage would be located there.

Larry Bunting who owns the property to the south was concerned about the future maintenance of the property because it was poorly maintained in the past.

Due to the concerns to the maintenance of the property and a rock pile, it was suggested that a contingency be added to the motion.

John Frank, representing Farmers Elevator, questioned if whether the existing zoning on the property was residential or commercial.

Vince King, Zoning Board member, asked what direction the front of the building would be facing. As explained, the building front would be Elm St. with two overhead doors and a door entrance.


Being no further comments, Chairman Berry asked for a motion on the re-zoning petition.

Ed Cantrall made the motion to not recommend to the New Berlin Village Board approval on the petition to re-zone Lots 97 and 98 from Residential to Commercial. Marsha Sweet seconded the motion. Roll call was taken with Members Hatfield and Cantrall voting Nay; Members Rhodes, King, Keyser and Sweet voting Aye. Motion did not carry.

Chairman Berry asked for a motion to approve a recommendation. Member Sweet made the motion to recommend to the New Berlin Village Board approval of the re-zoning petition of Lots 97 and 98 from Residential to Commercial with the contingency that no rock be stockpiled, and all material and equipment be enclosed in the building and not outside. Member Keyser seconded the motion. Roll call was taken and passed with Members Keyser, Rhodes, King and Sweet voting Aye: Members Cantrall and Hatfield voting Nay.

The recommendation to approve the petition will be sent to the New Berlin Village Board who will make the final decision at their December 17, 2003 meeting.

The meeting was adjourned at 7:40 p.m. with a motion by Member Rhodes and seconded by Member Keyser. Motion carried.


Marsha Sweet
Recording Member

CERTIFICATE OF PUBLICATION IN THE NEW BERLIN BEE

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

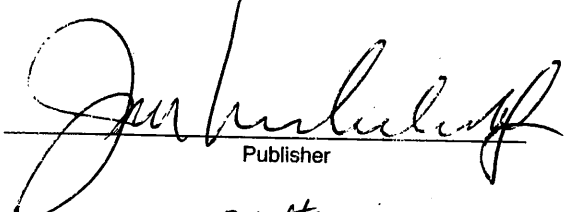
Public Notice

The Zoning Board of Appeals for the village of New Berlin will meet at 7 p.m. Monday, December 8 at the New Berlin Village Hall.
New Berlin Township requests to hear a petition to rezone Lots 97 and 98, except the North 14:16 feet of Lot 97, in the original Plat of the Town of New Berlin from Residential to Commercial.
All interested parties are welcome to attend this meeting.
Timothy Berry, Chairman
Zoning Board of Appeals.
NB:11-21

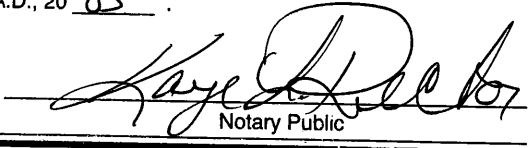
The undersigned Joseph Michelich, publisher of THE NEW BERLIN BEE, a secular newspaper of general circulation in said county, printed and published in the aforesaid Village of Pleasant Plains county of Sangamon and state of Illinois, does hereby certify that a notice of which the annexed is a true copy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

The first publication of said notice was on the 21st day of November, A.D., 20 03 and the last said publication was on the 21st day of November, A.D., 20 03. 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 24th day of November, A.D., 20 03.


Publisher

Subscribed and sworn to before me this 24th day of November A.D., 20 03.


Notary Public