

## NEW BERLIN ZONING BOARD

Monday, March 8, 2004

### MINUTES

The New Berlin Zoning Board met on March 8, 2004 at 7:00 p.m. with the following members answering roll call as present: Tim Berry, Chairman; Ed Cantrall, Artie Hatfield, Roger Keyser, Vince King, Gene Rhodes and Marsha Sweet, Members.

The minutes of the previous held meeting were waived from reading with a motion by Artie Hatfield and seconded by Roger Keyser. Motion carried.

OLD BUSINESS – None

NEW BUSINESS - Chairman Berry reviewed with the Board the variance request being proposed by Dan Darling. Mr. Darling is requesting a three (3) foot variance off Cedar Street to construct a garage on his property. The property in question is a corner lot with the main residence fronting Illinois Street.

Several questions by the Zoning Board were addressed by Mr. Darling before being put to a vote by the Board. The main point as explained by Mr. Darling for the placement of the garage three feet from the property line was so that the garage would be in existing line with his home on the east and not stick out further than his house on the west.

A motion was made by Ed Cantrall and seconded by Artie Hatfield to make the recommendation to the New Berlin Village Board to approve the three foot variance request allowing the construction of the garage three feet off the property line at Cedar Street. Roll call was taken with Ed Cantrall, Gene Rhodes and Arties Hatfield voting Aye; Roger Keyser, Vince King and Marsha Sweet voting Nay. Being the vote was three to three, Chairman Berry broke the tie vote with an Aye vote. This recommendation will be presented to the New Berlin Village Board for their final approval.

The second item presented before the Board was the consideration of an amended ordinance pertaining to building setbacks.

Section 2, Article 40-207, Paragraph A & B, refer to the front yard depth and side yard width. Clarification is needed to the existing ordinance defining the lot line and the set back pertaining to corner lots where two sides are considered as front yard depths. After discussion, a recommendation to the New Berlin Village Board will be to amend the existing ordinance defining the lot line of the front and side yard as follows:

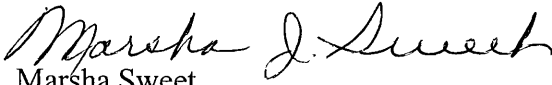
(A) Front yard depth; twenty-five (25) feet from the front yard line to the nearest structure. Provided, however, that in presently platted addition or subdivisions,

residence improvements erected on lots therein after the effective date of this Code, shall comply with the existing front yard setback line, If the existing improvements have not resulted in a uniform setback line, then any new improvements shall set back at least as far as the existing improvements to the adjacent properties, providing the existing structure is not less than ten (10) feet from the property line.

(B) Side yard width: ten (10) feet from the side yard line to the nearest structure, provided, however, that lots presently platted of a width of less than fifty (50) feet shall have side yards of at least three (3) feet. Provided further, than on a corner lot, a side yard adjoining a street shall be not less than twenty-five (25) feet in width to the nearest structure. If the existing improvements have not resulted in a uniform setback line, then any new improvements shall set back at least as far as the existing improvements to the adjacent properties, providing the existing structure is not less than 10 feet from the property line.

The amended ordinance, with corrections noted, was put to a motion by Roger Keyser and seconded by Marsha Sweet. Roll call was taken and passed unanimously with all members voting Aye.

Being no further business, the New Berlin Zoning Board adjourned the meeting at 8:45 p.m. with a motion by Marsha Sweet and seconded by Artie Hatfield.

  
Marsha Sweet  
Recording Secretary

State of Illinois )  
 ) ss.  
County of Sangamon )  
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**CERTIFICATE OF PUBLICATION**  
In the \_\_\_\_\_ Court  
To the \_\_\_\_\_ Term, A.D. 20\_\_\_\_

State of Illinois )  
 ) ss.  
County of Sangamon )

Printed Copy of Notice

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 \_\_\_\_\_ months prior to the day of the notice hereinafter mentioned. The notice, of which the annexed \_\_\_\_\_ has been regularly published \_\_\_\_\_ times, once in each week \_\_\_\_\_ weeks, the first publication \_\_\_\_\_ de in the issue of said \_\_\_\_\_ Feb. 20, 2004 thereof having been made in \_\_\_\_\_ per published on Feb. 20 regular days for the publication

newspaper is a newspaper  
revise the law in relation to  
July 17, 1959--Ill. Revised  
1 & 5.

I have hereunto set my  
County and State this  
rch, A.D. 2004

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I give me this 15th day

*Becky L. Stevens*

"OFFICIAL SEAL"  
BECKY L. STEVENS  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 9/23/06

**PUBLIC NOTICES**

**NOTICE OF PUBLIC HEARING ON  
AMENDMENTS TO ZONING ORDINANCE**

PLEASE TAKE NOTICE that on Monday, March 8, 2004 at 7:00 p.m., at the Village of New Berlin Village Hall, 301 East Illinois Street, New Berlin, IL 62670, the Village of New Berlin Zoning Board of Appeals will conduct a public hearing regarding a proposed ordinance entitled "An Ordinance Amending The Zoning Chapter Of The Code of Ordinances Of The Village Of New Berlin Pertaining To Building Setbacks."

Among other things, this proposed Ordinance would amend the Zoning Chapter of the Village of New Berlin Code of Ordinances to establish a 25 foot setback for corner lots in residential zones, and amends certain definitions in the Zoning Chapter pertaining to lots and lot lines.

A copy of the proposed ordinance is available for inspection and copying at the Village Hall.

The public is invited to attend and be heard with respect to the proposed ordinance.

Also, Dan Darling at 301 W. Illinois Street is requesting a 3-foot variance on the east side of his property facing Cedar Street.

VILLAGE OF NEW BERLIN, ILLINOIS

By: Timothy Berry, Chairman Zoning Board of Appeals