

Date 1/30/09

ZONING BOARD OF APPEALS
VILLAGE OF NEW BERLIN

I (We) St. John's Lutheran and Church
of 302 E. Gibson
(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 _____ District to a _____ District.
6. A request to establish, place or erect a addition to church. (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.)

See Attached Sheets

The premises are situated at 302 E. Gibson

in a Residential District.

Lot No. (s) _____ of _____

Total Property Dimensions: 123.32 wide 150' deep (Addition, Subdivision, etc.)

Does applicant own the property? yes

What is the approximate cost of the work involved? 248,000.00

Present Property Use Church

(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 \$ _____ payable to the Village of New Berlin as payment of the necessary filing fee.

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 1-30-09

Telephone No. 217-341-5924

(Signature of Applicant)

Charles Braker

(Signature of Applicant)

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

Hearing Advertised _____

Date of Hearing _____

Decision of Zoning Board of Appeals: _____

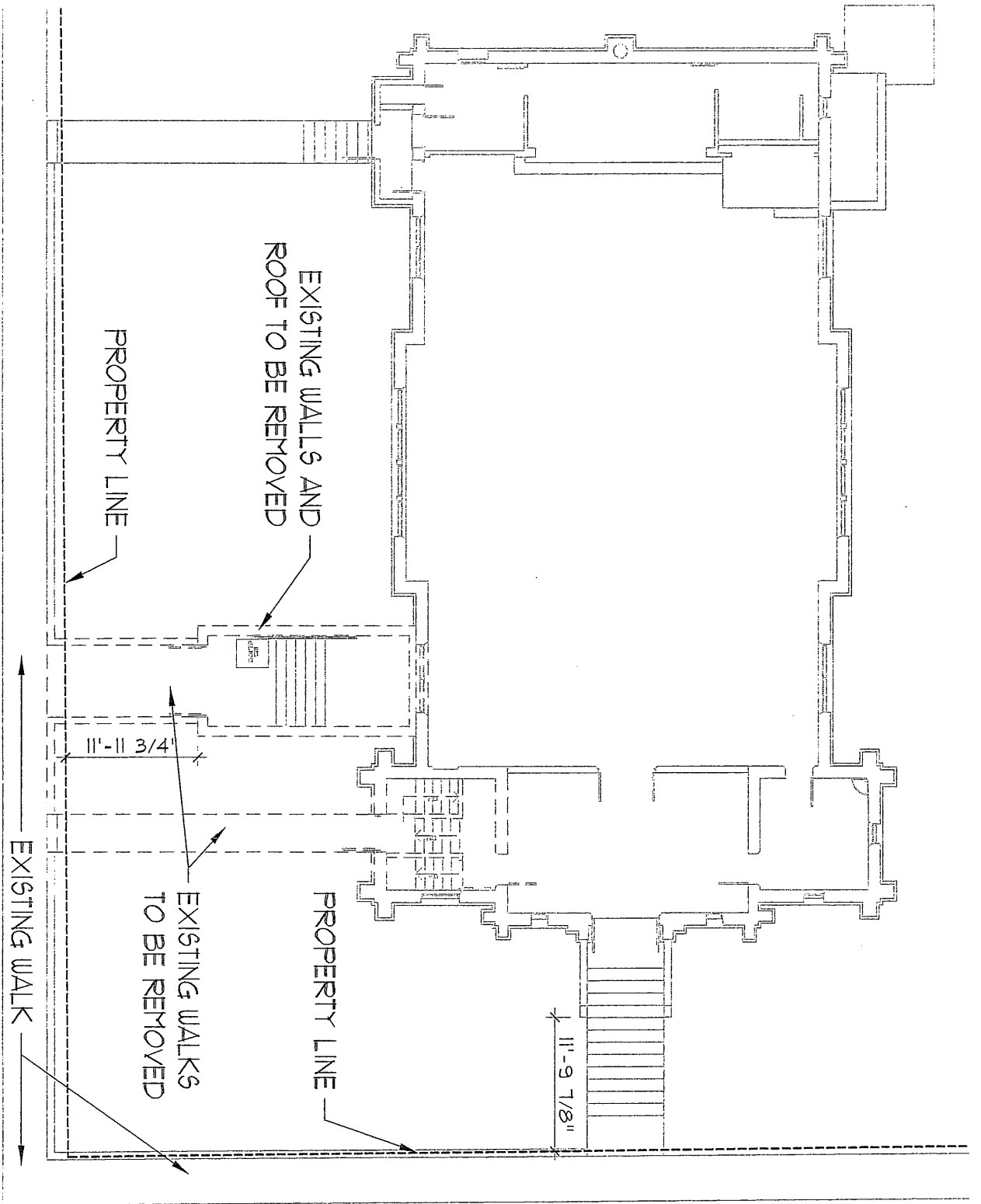
(Signature)

(Signature)

Description of appeal:

We are requesting a variance of the side yard width as stated in the Village of New Berlin Zoning Code Section 40-2-7. This section states that the required front yard depth and side yard width for corner lots shall be not less than twenty-five (25) feet from the respective yard lines to the nearest structure.

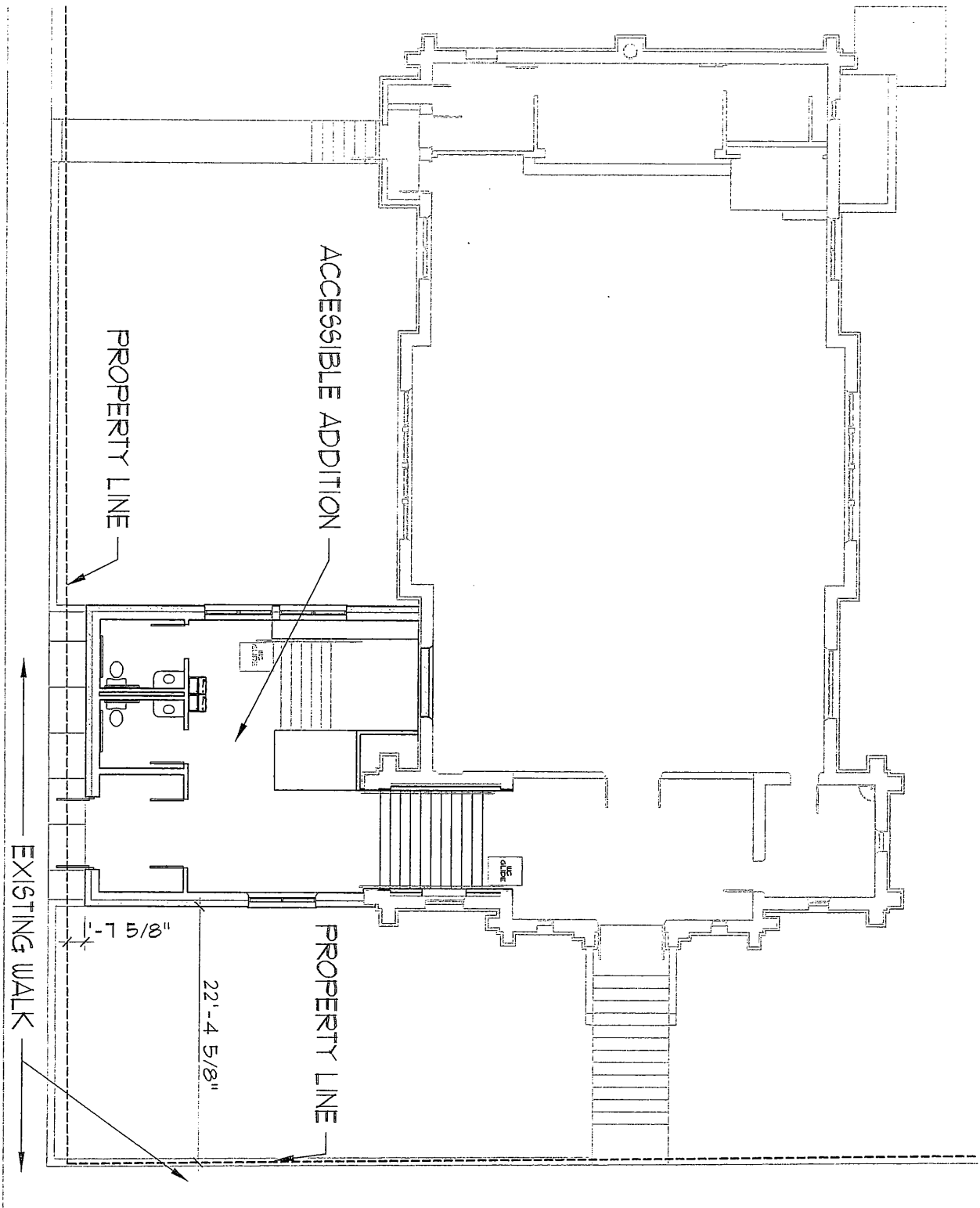
The existing structure's non-conforming front yard depth from the yard line to the nearest structure is 11'-9 7/8" and the existing structure's non-conforming side yard width from the yard line to the nearest structure is 11'-11 3/4". In our currently proposed plan, we are requesting the current non-conforming side yard width of 11'-11 3/4" be reduced to 1'-7 5/8" to allow for an addition to be built that will provide for full accessibility to the Church.



1
SI

SITE REMOVAL PLAN


NOT TO SCALE



1
S2

SITE PLAN

NOT TO SCALE

 **RENAISSANCE**
Architects, Inc.

700 South Fifth Street
Springfield, Illinois 62703

217-753-1585
217-753-1593 (Fax)
renarc@renarc.net (email)

Larry C. Quenette, AIA

MEMORANDUM

To: Pastor Robert Barth
St. John's Lutheran Church
From: Alex Block
Date: January 14, 2009
Project: Addition for Accessibility
St. John's Lutheran Church
New Berlin, IL

Enclosed for review and completion by the Church is the Zoning Board of Appeals request for variance form, verbal description of change and plans to be attached for clarification. A zoning variance is required by this project.

The enclosed form should be filled in with following information:

- Date
- Name of Church Representative
Of St John's Lutheran Church
- (circle question #7) fill in (side yard)
- Description of appeal should read "Please see attached sheets".
- Residential District
- Lot numbers need to be obtained from Village.
- Property Dimensions need to be obtained from Village
- Fill in Ownership status.
- Cost of work is estimated to be \$248,00.00
- Fill in property use as Church
- Ask Village if fee is required
- Sign and Date
- Attach provided Description of Appeal, Site Removal Plan and Site Plan for their reference.

Once this form has been filled out and turned into the Village, we need to schedule a meeting to discuss the variance with you prior to the Zoning Board's Meeting and review the Construction Documents prior to issuing them to Contractors prior to bidding. Please contact our office to setup a meeting time that works best with the Building Committee Schedule.

If you have any questions or comments please feel free to contact our office.

Zoning Board of Appeals
February 26, 2009
Village Hall

Attendees: Acting Chairman Marsha Sweet, Artie Hatfield, Ed Cantrall, Gene Rhodes, Vince King, and Tom Gorsich, Acting Secretary Deborah Lakamp

Acting Chairman Marsha Sweet called the meeting to order and all members were present.

MOTION: To waive the minutes.

Moved by: Artie Hatfield

Seconded by: Gene Rhodes

Motion carries unanimously.

Sweet announced Petition 1, a request from Amanda Stockton and Steve Hart to rezone Lot 5, 402 S. Benton, from residential to commercial to build a daycare center. The property owners are Amanda Stockton and Steve Hart.

Chairman Sweet opened the floor for audience questions and comments. Adjoining property owners and neighbors were present. Mark Kunz, who lives in the house next door to the potential daycare, expressed a desire to keep residential areas residential and that changing the zoning would negatively impact home values.

Ike King, who owns three houses in the area, asked for clarification regarding if the property owners were planning a home daycare or a daycare center.

Sarah Stockton, the sister of the Amanda Stockton, responded that they are planning a licensed daycare that would have 16-20 children, who were mostly the children of friends. It would be a 30 x 40 foot building with a 20 square foot kitchen, 2 bathrooms and a 4-5 car parking area off the street.

Village Trustee Kuehl asked how close to the property lines the building would be situated. Commercially zoned property buildings can extend to the property lines.

Aaron Bauman inquired as to the type of building and if it would be a Morton building. The petitioners responded the proposed building would look like a small house.

The Zoning Board asked if the well on the property would be filled in and petitioners indicated it would be filled with sand.

Pat King, a neighbor, expressed concerned about increased traffic in the neighborhood.

Chairman Sweet read a letter submitted by Les and Chrystal Hobbs, 401 S. Benton, opposing the changing of the zoning to commercial and the building of daycare.

A couple of audience members asked if the zoning could be changed to commercial and then revert to residential, if the proposed daycare closed. This is not possible. The property would have to be re-zoned again.

A few more questions regarding the details of the operation and number of children were asked and as the petitioners were still exploring details Chairman Sweet indicated more information was needed.

MOTION: To disapprove request to re-zone Lot 5 from residential to commercial in Lee's Addition, 402 S. Benton.

Moved by: Ed Cantrall

Seconded by: Gene Rhodes

Motion carries on a 4-1 roll call vote

Artie Hatfield- Abstained Vince King- Yes
Ed Cantrall— Yes Tom Gorsich- Yes
Gene Rhodes- Yes

Petition 2 was a side yard variance to the west side of St. John's Church to allow handicap access.

Charlie Braker, Chairman of St. John's Building Committee, introduced Alex Block from Renaissance Architecture. Block presented visuals of the handicap access project and shared information about the project. He indicated the structure doesn't provide any obstructions to the view up and down Gibson Street. The structure will blend in with the existing building.

MOTION: To approve the side yard variance of 1 foot 7 5/8 inches from the property line at St. John's Church.

Moved by: Gene Rhodes

Seconded by: Vince King

Motion carries unanimously on a roll call vote.

Artie Hatfield- Yes Vince King- Yes
Ed Cantrall— Yes Tom Gorsich- Yes
Gene Rhodes- Yes

MOTION: To adjourn.

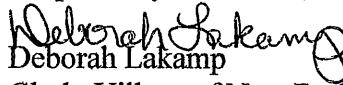
Moved by: Artie Hatfield

Seconded by: Vince King

Motion carries unanimously.

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,


Deborah Lakamp
Clerk, Village of New Berlin

NEW BERLIN ZONING BOARD OF APPEALS

The New Berlin Zoning Board of Appeals will meet on February 26, 2009 at 7:00 p.m. in the Village Hall of New Berlin to consider two petitions:

The appeal requested by Amanda Stockton and Stephen Hart for a rezoning from Residential to Commercial on Lot 5 of Lee's Third Addition to the Village of New Berlin, Illinois. The common address known as 402 S. Benton, New Berlin, Illinois.

Also, the appeal requested by St John's Church to petition a side yard variance for an addition to the Church.

The meeting is open to the public and any interested party or their representative who may wish to appear in person.

**Marsha J. Sweet,
Interim Chairman
New Berlin Zoning Board of Appeals**

Published in
County Tribune
NB Bee
Feb 6 + 13

CERTIFICATE OF PUBLICATION IN THE NEW BERLIN BEE

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

Public Notice

**NOTICE OF
PUBLIC HEARING**

The New Berlin Zoning Board of Appeals will meet on February 26, 2009 at 7 p.m. in the Village Hall of New Berlin to consider two petitions.

The appeal requested by Amanda Stockton and Stephen Hart for a rezoning from Residential to Commercial on Lot 5 of Lee's Third Addition to the Village of New Berlin, Illinois. The common address known as 402 S. Benton, New Berlin, Illinois.

Also, the appeal requested by St. John's Lutheran Church at 302 E. Gibson to petition a side yard variance for an addition to the church.

The meeting is open to the public and any interested party or their representative who may wish to appear in person.

Marsha J. Sweet
Interim Chairman
New Berlin Zoning
Board of Appeals
NB:2-6.13

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 6th day of February, A.D., 20 09 and the last said publication was on the 6th day of February, A.D., 20 09. 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 13th day of February, A.D., 20 09.

Joseph Michelich

Publisher

Subscribed and sworn to before me this 13th day of _____ A.D., 20 _____

"OFFICIAL SEAL"
PATRICE HUBER
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES 04/2009

Patrice Huber

Notary Public