

NEW BERLIN ZONING BOARD OF APPEALS
July 14, 2008

The New Berlin Board of Appeals met on July 14, 2008, at 7:00 p.m. to review the proposed ordinance relating to certificates of occupancy and an ordinance pertaining to parking of semi trailers, travel trailers and commercial vehicles.

Chairman Berry opened the meeting at 7:00 p.m. with the call for roll. Members Cantrall, Rhodes, Hatfield, King, Gorsich and Sweet answering present.

The September, 2007 minutes were waived from reading with a motion by Member Hatfield and seconded by Member Cantrall. Motion passed.

OLD BUSINESS – None

Chairman Berry reviewed with the Board and the audience the purpose of the zoning board of appeals and that it serves as an advisory and preliminary board to the New Berlin Village Board for them to consider in making the final decision on these requests.

NEW BUSINESS – Member Sweet read the “Ordinance Relating to Certificates of Occupancy and Amending the Zoning Chapter of the Village of New Berlin Code of Ordinances.” Chairman Berry explained the purpose of the ordinance was due to some banks requiring, as a part of the transaction to financing new structures, a sign off on a Certificate of Occupancy. In accordance, this ordinance is being considered so the building inspector can rely on certification of a licensed home inspector or architect, when one is required and sign off.

The business was opened to the audience portion so any comments or questions could be presented for discussion. There were no comments or questions from the audience. The business was then opened to the zoning members for discussion. After discussion, a motion was made by Member Cantrall and seconded by Member Gorsich to recommend the approval of the ordinance as presented. Roll call was taken and passed unanimously with all members voting aye.

The next ordinance was “An Ordinance Amending Certain Provisions of the New Berlin Code of Ordinance pertaining to Parking and Semi trailers, Travel Trailers and Commercial Vehicles”. Chairman Berry explained the reason for the proposed ordinance and also noted the ordinance was not relating to travel trailers parked on personal property.

The matter was opened up to the audience for comments or questions. Fred Blankenship, Matt Duewer and Mike Krall made comments and asked for further clarification of the ordinance. As the ordinance is in its present form, no semi trailers may be parked on Village streets or on personal property. The discussion was then opened to the Zoning members for discussion. Several members felt the ordinance needed further clarification

and more definition, especially relating the time limits of deliveries in residential areas. Vince King inquired if this ordinance would include agricultural area lots.

A motion was made by Member Sweet to not recommend approval of this ordinance in its present format. Due to a further need of discussion, Member Sweet withdrew her motion.

Chairman Berry stated there are two options we can do at this time: (1) Not recommend the approval of the ordinance and ask the Village Board to amend it, or (2) Not recommend the approval of the ordinance but the Zoning Board make the amended recommendations to the Board and then have it sent back to us for review and approval.

After a long discussion, the Zoning Board wishes that the ordinance amending certain provisions pertaining to parking of semi trailers, travel trailers, and commercial vehicles be changed per the following list of recommendations:

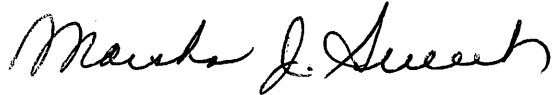
1. Make changes to the definition of commercial vehicles so that they will be redefined as to not include, commercially owned cars, vans, and pickups. Recommend or designate a stated weight classification of a commercial vehicle. Change wording to clearly state that campers, camper trailers, and motor homes be so defined as non-commercial vehicles and therefore exempt not included in restrictions of this ordinance.
2. No parking of commercial vehicles on residential streets except for the purpose of delivery or unloading or moving vans.
3. Residential parking of commercial vehicles to be allowed on residential lots only when parked on driveways (not to block side walks) and commercial vehicle is shut off. This includes shutting of refrigeration units. No parking of commercial vehicles on residential lots when parked other than drive way such as front, rear, or side yard on grass.
4. Allow parking of commercial vehicles residential zoned area when application of lot is agriculture, no driveway required.
5. Remove the allowable time restrictions, temporary parking of commercial vehicles, for deliveries in residential areas.
6. That all verbiage not in harmony of the requested changes be removing.

Zoning Board of Appeals respectfully asks that they have a chance to review and recommend the revised ordinance after changes have been made.

A motion was made by Member Sweet and seconded by Members Hatfield to not recommend the approval of the Ordinance. Roll call was taken and passed

unanimously with all members voting aye. The Ordinance will be sent back to the Village Board with the above recommendations to amend the ordinance.

Member Hatfield made the motion and Member Gorsich seconded the motion to adjourn the meeting at 8:15 p.m. Motion passed.

A handwritten signature in cursive script, reading "Marsha J. Sweet".

Marsha J. Sweet
Recorder

Zoning Board of Appeals Village of New Berlin
Sangamon County

Agenda

Monday July 13th 2008

- 1) Call to Order
- 2) Roll Call
- 3) Minuets

Monday Sept. 24th 2007

- 4) Old Business
- 5) Purpose of Zoning Board
- 6) New Business
 - i) An Ordinance relating to Certificates of Occupancy and amending the zoning chapter of the village of New Berlin Codes of Ordinances
 - (a) Presentation
 - (b) Audience
 - (c) Discussion by the board
 - ii) An Ordinance amending certain provisions of the New Berlinb Coce of Ordinances pertaining to Parking of Semi Trailers, Travel Trailers and Commercial Vehicles
 - (a) Presentation
 - (b) Audience
 - (c) Discussion by the board
- 7) Adjourn

CERTIFICATE OF PUBLICATION IN THE NEW BERLIN BEE

Public Notice

NOTICE OF PUBLIC HEARING

The New Berlin Zoning Board of Appeals will meet Monday, July 14, 2008 at 7:00 p.m. at the Village Hall.

The Village Board of New Berlin has referred to the Zoning Board of Appeals the following proposed ordinances for recommendation:

An Ordinance relating to Certifications of Occupancy and amending the Zoning Chapter of the Village of New Berlin Code of Ordinances.

An Ordinance amending certain provisions of the Village of New Berlin Code of Ordinances pertaining to parking of Semi trailers, Travel trailers and Commercial Vehicles in zoned residential areas and streets.

Details of the proposed ordinances will be made available to the public for review during normal Village Hall hours.

All interested parties are welcome to attend this meeting.

Zoning Board of Appeals
Tim Berry, Chairman
NB-6-20

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

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 20th day of June, A.D. 20 08 and the last said publication was on the 20th day of June, A.D., 20 08. 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 25th day of June, A.D., 20 08.

Joseph Michelich

Publisher

Subscribed and sworn to before me this 25th day of June, A.D., 20 08.

Patrice Huber

Notary Public

