

**NEW BERLIN ZONING BOARD OF APPEALS**  
**June 25, 2013**

The New Berlin Zoning Board of Appeals met on June 25, 2013 at 7:00 p.m.

Chairman Marsha Sweet opened the meeting with roll call. Members Carrie Adams, Sharon LaFauce, Vince King, Ed Cantrell, Artie Hatfield, and Marsha Sweet answering present. Audience: Doug and Susan Danenberger, John Myers, Village Attorney, Steve Frank, Dave Kuehl, Bob Fromme, and Bill Pfeffer.

The April 16, 2013 Zoning Minutes were waived from the reading with a motion by Sharon LaFauce and seconded by Vince King. Motion carried.

**OLD BUSINESS** – None

**NEW BUSINESS** –

Chairman Sweet explained the purpose of the meeting was to look at two proposals being presented. The Zoning Board will look over and review the information then send their recommendations to the Village Board to take in consideration when making their decision.

The two proposals to be discussed:

1. An Annexation Agreement – Danenbergers have some property that they would like the Board to consider an annexation to the Village to be zoned agricultural.
2. An Ordinance Amending the Village Code of Ordinances to add a provision relating to the Agricultural and Multifamily Zones. The Village does not have R-3 at the present time.

Chairman Sweet introduced John Myers. Myers explained Danenbergers have asked for agricultural zoning. They have been growing grapes to operate a winery and want to sell their product. They are located 1/4 miles from the Village and the Village has zoning jurisdiction for 1 1/2 miles outside the Village. Instead of trying to get the zoning through Sangamon County, they would like to get an annexation agreement with the Village which the Village Attorney, John Myers, stated would not present a problem. The annexation agreement would put them in the agricultural zone. The Village would have to create another liquor classification.

The Village Ordinance has no definition of the agricultural zone. The proposed zoning ordinance defines agriculture.

The Village zoning ordinance is unclear on multi-zoning on where and how you can do it. The proposed ordinance defines the multi-family zone. It does not zone anyone multifamily. Anyone that wants to be zoned multifamily will have to file an application and ask for a zoning change.

**MOTION:** To recommend for the Village Board to adopt the agricultural zone

Moved by: Sharon LaFauce

Seconded by: Artie Hatfield

Motion passed unanimously on a roll call vote.

**MOTION:** To recommend to the Village Board the creation for zoning agriculture for Danenberger property and approve the annexation agreement

Moved by: Artie Hatfield

Seconded by: Carrie Adams

Motion passed unanimously on a roll call vote.

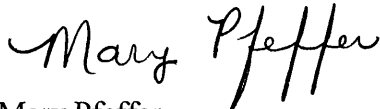
**MOTION:** To recommend the adoption of an ordinance amending certain provisions of the New Berlin Zoning Ordinance, by adding provisions relating to multifamily zones

Moved by: Sharon LaFauce

Seconded by: Vince King

Motion passed unanimously on a roll call vote.

A motion was made by Member King and seconded by Member Hatfield to adjourn the meeting. Motion carried.



Mary Pfeffer  
Recorder

**NOTICE OF PUBLIC HEARINGS ON ZONING  
AND ON ANNEXATION AGREEMENT**

PLEASE TAKE NOTICE that on June 25, 2013, at 7:00 p.m. at New Berlin Village Hall, 301 E. Illinois St., New Berlin, IL 62670, the Village of New Berlin Zoning Board of Appeals will meet to consider:

1. Amendments to the Village of New Berlin Zoning Ordinance defining a new R-3-Multiple Family Residential Zone and establishing regulations pertaining to such zone and uses permitted therein;
2. Amendments to the Village of New Berlin Zoning Ordinance defining a new A-Agricultural Zone and establishing regulations pertaining to such zone and uses permitted therein;
3. The initial zoning upon annexation, and the zoning pending annexation pursuant to an annexation agreement, of a tract of land not presently within the corporate limits of the Village of New Berlin.

The owners of record of the land are Susan Sullivan Danenberger and Doug Danenberger. The owners are asking that the land be initially zoned A-Agricultural upon and pending annexation pursuant to a proposed Annexation Agreement between the owners and the Village of New Berlin.

The land to be annexed is legally described as follows:

Part of the West Half of the Southeast Quarter of Section 28, Township 15 North, Range 7 West of the Third Principal Meridian, Sangamon County, Illinois, being further described as follows:

Commencing at a found iron pipe marking the Southeast Corner of the West Half of the Southeast Quarter of said Section 28; thence South 89 degrees 02 minutes 19 seconds West, a distance of 365.45 feet to a set iron pin marking the POINT OF BEGINNING; thence continuing South 89 degrees 02 minutes 19 seconds West, a distance of 270.00 feet to a found iron pipe; thence North 00 degrees 59 minutes 04 seconds West, a distance of 445.00 feet to a set iron pin; thence North 89 degrees 02 minutes 19 seconds East, a distance of 270.00 feet to a set iron pin; thence South 00 degrees 59 minutes 04 seconds East, a distance of 445.00 feet to the POINT OF BEGINNING, containing 2.76 acres, more or less. Basis of bearing is Illinois State Plane Coordinates West Zone.

On June 26, 2013, during its regularly scheduled board meeting commencing at 7:00 p.m. at New Berlin Village Hall, 301 E. Illinois St., New Berlin, IL 62670, the New Berlin Village Board will conduct a hearing on the proposed annexation agreement. A copy of the proposed

annexation agreement will be on file at the Village Hall for inspection and copying not later than noon on June 6, 2013.

The public is invited to attend and be heard with respect to the proposed zoning and annexation agreement. Persons desiring to make written comments with respect to the zoning and the annexation agreement should send their comments to Village Attorney John Myers, 1300 South 8th St., Springfield, IL 62703, [jmyers@springfieldlaw.com](mailto:jmyers@springfieldlaw.com).

VILLAGE OF NEW BERLIN, ILLINOIS

By: /s/ Steve Frank, Village President

# Public Notice

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VILLAGE OF NEW BERLIN, ILLINOIS  
By: /s/ Steve Frank, Village President

## CERTIFICATE OF PUBLICATION IN THE NEWS

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

The undersigned, Joseph Michelich, publisher of the NEW BERLIN BEE, a newspaper published in said county, printed and published in the aforesaid Village of New Berlin, Illinois, does hereby certify that a notice of which the annexed is a true copy has been published in said newspaper at the time each week for one successive weeks.

The first publications of said notice was on the 7th day of June, A.D., 20 13.

The undersigned does further certify that the said NEW BERLIN BEE, has been and is being published in said 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 this 7th day of June, A.D., 20 13.

Subscribed and sworn to before me this 7th day of June, A.D., 20 13.  
OFFICIAL SEAL  
ERIN K BIDLEMAN  
NOTARY PUBLIC - STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 02/15/16

*Erin Bidleman*  
Notary Public

NEW BERLIN ZONING COMMITTEE

June 25, 2013

AGENDA

ROLL CALL

MINUTES – Motion to waive reading of last meeting's minutes

PURPOSE OF ZONING MEETING

OLD BUSINESS: None

NEW BUSINESS:

ORDINANCE APPROVING AN ANNEXATION AGREEMENT WITH DANENBERGER

ORDINANCE AMENDING OF THE VILLAGE OF NEW BERLIN CODE OF ORDINANCES: Adding Provisions Relating to Agricultural and Multifamily Zones

AUDIENCE: Comments or Questions (if any)

RECOMMENDATION: Motion to make recommendation to above two ordinances to the Village of New Berlin for their Final Approval at their meeting scheduled for June 26, 23013.

\_ADJOURNMENT