
ORDINANCE NO. 24-25-08

***An Ordinance Granting R-3 Two-Family Dwelling District Zoning and
Approving a First Amendment to Final Plat for the property Commonly
Known as Oakcreek Townhomes located in the Northeast Corner of the
Intersection of Johnsburg Road and Terrace Avenue in Johnsburg, Illinois***

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

AT A REGULAR MEETING ON SEPTEMBER 17, 2024

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Beth Foreman
Mike Fouke
Josh Hagen
Greg Klemstein
Jamie Morris
Scott Letzter

Village Administrator

Claudett Sofiakis

ORDINANCE NO. 24-25-08

An Ordinance Granting R-3 Two-Family Dwelling District Zoning and Approving a First Amendment to Final Plat for the property Commonly Known as Oakcreek Townhomes located in the Northeast Corner of the Intersection of Johnsborg Road and Terrace Avenue in Johnsborg, Illinois

WHEREAS, Glendenning Capital, Inc. filed an application with the Village Clerk of the Village of Johnsborg, McHenry County, Illinois, requesting the granting of R-3 Two Family Dwelling District Zoning and the Approval of a First Amendment to Final Plat for the property commonly known as Oakcreek Townhomes located in the northeast corner of the intersection of Johnsborg Road and Terrace Avenue (the "Property"); and

WHEREAS, the applicant is proposing to clean up the property and bring the two residential units currently situated on the Property up to code so that they may be rented. Said units are proposed to be served by individual septic systems and therefore the petitioner is requesting to rezone the Property to R-3 Two Family Dwelling District and Amend the Final Plat to reflect the Property as one zoning lot in compliance with McHenry County Health Department requirements; and

WHEREAS, A PUBLIC HEARING was held by the Planning & Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, THE PLANNING & ZONING COMMISSION, has, upon holding a hearing, made a report regarding said request to the Village Board; and

WHEREAS, THE VILLAGE BOARD has reviewed the report put forth by the Planning & Zoning Commission (the "Commission") and based upon the Commission's findings of fact and that rezoning of the Property is in harmony with the general purpose and intent of the Zoning Code has determined that:

1. The change in zoning will enable the two existing residential units on the property to be served by septic systems making them feasible for habitation; and
2. The Property is currently in disrepair and has been frequently vandalized. Providing for an on-site septic system, bringing the units up to code, and cleaning up the Property will enable the units to be inhabited which will deter further vandalism on the property. Once improved, the Property will contribute to the general welfare of the community by contributing property taxes which is not presently the case; and
3. The residents of the proposed development are anticipated to patronize businesses and amenities in the Village; and
4. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity; and
5. The use will not be injurious to property values or improvements in the vicinity, based upon the

petitioner's testimony and supported by the plans presented which reflect that the development will enhance the overall aesthetic appeal of the area; and no evidence having been presented from an appraiser to indicate that the proposed use will lower the value of adjacent or proximate properties; and

6. That the proposed use will comply with the regulations and conditions specified in this Zoning Code for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1: That the subject Property be zoned R-3 Two Family Dwelling District Zoning to accommodate two dwelling units currently situated on the Property; and

SECTION 2: That the First Amendment to Final Plat as depicted in Exhibit A be approved reflecting the property as one zoning lot; and

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustee Foreman, Fouke, Hagen, Klemstein, Letzter and Morris

Voting Nay: None

Absent: None

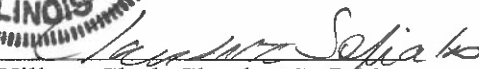
Abstain: None



APPROVED:


Village President Edwin P. Hettermann

ATTEST:


Village Clerk Claudett Sofiakis

Passed: September 17, 2024

Approved: September 17, 2024

Published: September 17, 2024

Prepared by:

Claudett Sofiakis, Village Administrator

Village of Johnsburg

1515 Channel Beach Avenue

Johnsburg, IL 60051

CERTIFICATION

I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

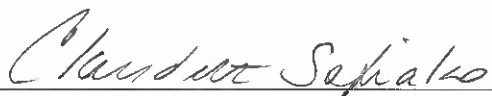
I do hereby further certify that at a special meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 17th day of September, 2024, the foregoing Ordinance entitled ***An Ordinance Granting R-3 Two Family Dwelling District Zoning and Approving a First Amendment to Final Plat for the Property Commonly Known as Oakcreek Townhomes located at the Northeast corner of the Intersection of Johnsburg Road and Terrace Avenue in Johnsburg, Illinois*** was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 24-25-08, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on the 17th day of September, 2024 and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and the seal of the Village of Johnsburg, Illinois, this 17th day of September, 2024





Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois