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**ORDINANCE NO. 16-17-38**

*An Ordinance Rezoning and Granting Variances  
to Property Commonly Known as the Mazeski Property  
at 4117 N. Johnsburg Road, Johnsburg, Illinois*

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

AT A REGULAR MEETING ON MARCH 21, 2017

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

Tom Curry  
Kyle Frost  
John Huemann  
Mary Lou Hutchinson  
Greg Klemstein  
Kevin McEvoy

Village Administrator

Claudett E. Peters

## ORDINANCE NO. 16-17-38

### *An Ordinance Rezoning and Granting Variances to Property Commonly Known as the Mazeski Property at 4117 N. Johnsburg Road, Johnsburg, Illinois*

WHEREAS, Conrad Mazeski filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for Rezoning with variances for the property commonly known at 4117 N. Johnsburg Road, Johnsburg, Illinois 60051;

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 of said request to the Village Board; and

WHEREAS, THE VILLAGE BOARD has reviewed the minutes put forth by the Planning & Zoning Commission and based upon the Commission's findings that the granting of the rezoning with variances is in harmony with the general purpose and intent of the Zoning Code and that the zoning request is consistent with the primary use and zoning of the area.

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 property be rezoned to B-1 Business District;

SECTION 2: That variances be granted to permit a minimum lot size of 7000 square feet; a minimum lot width of 60 feet; minimum rear yard setback of 18 feet and a minimum side yard setback of 8.5 feet in lieu of the otherwise required minimum lot size of 43,560; minimum lot width of 200 feet; minimum rear yard setback of 40 feet; and minimum side yard setback of 25 feet, (50 feet for the side yard abutting residentially zoned property). Said variances are granted to accommodate the existing principal structure on the property.

SECTION 3: That the current single family use of the property continue to be allowed until the use changes to a business use.

SECTION 4: That all requirements set forth in the Zoning Ordinance of the Village of Johnsburg, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in this Ordinance.

SECTION 5: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid,

such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7: 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: Trustees Klemstein, McEvoy, Frost, Curry and Hutchinson  
Voting Nay: None  
Absent: Trustee Huemann  
Abstain: None



APPROVED:  
  
Village President Edwin P. Hettermann

Passed: March 21, 2017  
Approved: March 21, 2017  
Published: March 21, 2017

Prepared by:  
Claudett Peters, Village Administrator  
Village of Johnsburg  
1515 Channel Beach Avenue  
Johnsburg, IL 60051

**CERTIFICATION**

I, CLAUDETT E. PETERS, 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 regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 21st day of March, 2017, the foregoing Ordinance entitled ***An Ordinance Grant Rezoning with Variances to Property Commonly Known as the Mazeski Property, 4117 N. Johnsburg Road, Johnsburg, Illinois*** was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 16-17-38, 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 21st day of March, 2017, 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 21st day of March 2017.



  
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Claudett E. Peters, Village Clerk  
McHenry County, Illinois