
ORDINANCE NO. 17-18-01

*An Ordinance Granting a Variance to Section 7
Accessory Buildings and Structures for the property commonly
Known as 1921 Sunnyside Beach Drive, Johnsburg, Illinois*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON MAY 2, 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
Josh Hagen
Mary Lou Hutchinson
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Peters

ORDINANCE NO. 17-18-01

An Ordinance Granting a Variance to Section 7 Accessory Buildings and Structures for the property commonly Known as 1921 Sunnyside Beach Drive, Johnsburg, Illinois

WHEREAS, Jerry and Maureen Harker filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for variances to Section 7 Accessory Buildings and Structures for the property commonly known as 1921 Sunnyside Beach Drive, Johnsburg, Illinois.

WHEREAS, The applicants requested that variances be granted to Section 7, Accessory Buildings and Structures to accommodate the construction of a three car detached garage for personal use with living area above the garage. The requested variances are as follows: 1) Section 7.1-5, permitting a rear yard setback of 3 feet in lieu of the otherwise required 10 feet setback; Section 7.1-7, permitting maximum square footage for a detached garage of 1040 on the first floor and 833 square feet on the second floor in lieu of the otherwise allowable 864 square feet; Section 7.1-7, permitting a maximum height of 28 feet in lieu of the otherwise maximum allowable height of 10 feet; and Section 10.4-7 entitled Lot Coverage, permitting maximum lot coverage of 36.79% in lieu of the otherwise allowable 35%.

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 variance 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 following variances be granted to Section 7, Accessory Buildings and Structures to accommodate the construction of an accessory building: 1) Section 7.1-5, permitting a rear yard setback of 3 feet in lieu of the otherwise required 10 feet setback; Section 7.1-7, permitting maximum square footage for a detached garage of 1040 on the first floor and 833 square feet on the second floor in lieu of the otherwise allowable 864 square feet; Section 7.1-7, permitting a maximum height of 28 feet in lieu of the otherwise maximum allowable height of 10 feet; and Section 10.4-7 entitled Lot Coverage, permitting maximum lot coverage of 36.79% in lieu of the otherwise allowable 35%.

SECTION 2: That said variances are granted to accommodate the construction of a three car detached garage for personal use with living area above the garage.

SECTION 3: That the utilization of the living area above the garage shall be limited as an accessory use to the principal structure and shall not be utilized as a single family home dwelling.

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, Curry, Hagen, Frost and Hutchinson
Voting Nay: None
Absent: None
Abstain: None

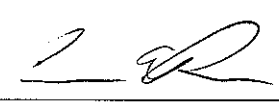
APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST:


Village Clerk Claudett E. Peters

Passed: May 2, 2017
Approved: May 2, 2017
Published: May 2, 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 2nd day of May 2017, the foregoing Ordinance entitled ***An Ordinance Granting a Variance to Section 7.1-7 Accessory Buildings and Structures for the property Commonly Known as 1921 Sunnyside Beach Drive, Johnsburg, Illinois***, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 17-18-01, 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 2nd day of May, 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 2nd day of May, 2017.



Claudett E. Peters, Village Clerk
McHenry County, Illinois

(SEAL)