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**ORDINANCE NO. 18-19-01**  
*An Ordinance Granting a Variance to Section 7.2-1 Permitted Fences  
for the property commonly Known as 2316 Mehring Avenue, 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 JUNE 5, 2018

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. 18-19-01**

***An Ordinance Granting a Variance to Section 7.2-1 Permitted Fences  
for the property commonly Known as 2316 Mehring Avenue, Johnsburg, Illinois***

WHEREAS, Mike Marzahl filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a variance to Section 7.2-1 Permitted Fences, of the Johnsburg Zoning Ordinance for the property commonly known as 2316 Mehring Avenue, Johnsburg, Illinois, PIN 09-13-201-013.

WHEREAS, the applicant requested that the Planning and Zoning Commission for the Village of Johnsburg recommend that a variance be granted to Section 7.2-1 Permitted Fences of the Johnsburg Zoning Ordinance to permit the placement a privacy fence six feet in height along the east side of the subject property in lieu of the otherwise permitted 30% open fence, 5 feet in height. Said section of privacy fence shall provide a visual buffer to the adjacent cemetery.

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, recommended that the variance be granted; and

WHEREAS, THE PLANNING AND ZONING COMMISSION 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

WHEREAS, THE VILLAGE BOARD performed a first read of the request at the May 15, 2018 meeting, and

WHEREAS, THE VILLAGE BOARD met again on June 5, 2018 to take action on the request for variance.

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 a variance is granted to Section 7.2-1 - Permitted Fences, to permit the placement a privacy fence six feet in height along the east side of the subject property in lieu of the otherwise permitted 30% open fence, 5 feet in height.

SECTION 2: 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 3: 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 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

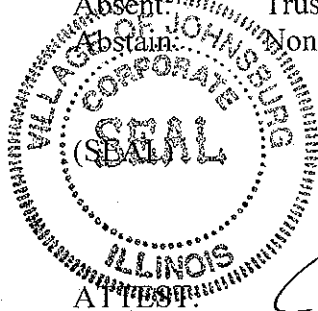
SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees McEvoy, Curry, Hagen, Frost and Klemstein

Voting Nay: None

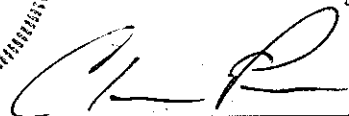
Absent: Trustee Hutchinson

Abstain: None



APPROVED:

  
Village President Edwin P. Hettermann

  
Village Clerk Claudett E. Peters

Passed: June 5, 2018

Approved: June 5, 2018

Published: June 5, 2018

Prepared by:

Claudett Peters, Village Administrator

Village of Johnsburg

1515 Channel Beach Avenue

Johnsburg, IL 60051

CERTIFICATION

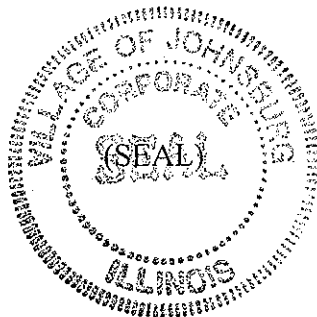
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

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 5<sup>th</sup> day of June, 2018, the foregoing Ordinance entitled *An Ordinance Granting a Variance to Section 7.2-1 Permitted Fences for the property Commonly Known as 2316 Mehring Avenue, Johnsburg, Illinois*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 18-19-01, 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 5th day of June, 2018, 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 5th day of June, 2018.



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Claudett E. Peters, Village Clerk  
Village of Johnsburg,  
McHenry County, Illinois