

ORDINANCE NO. 18-19-18

An Ordinance Amending Ordinance 08-09-19 Granting a Conditional Use Permit to Allow for an Automated Teller Machine (ATM) as a Secondary Principal Use and Granting a Variance to Section 11.5-3.1, Front Yards of the Johnsburg Zoning Ordinance For Property Commonly Known as 3535 Richmond Rd., Johnsburg, Illinois.

WHEREAS, McHenry Savings Bank filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois a request to Amend Ordinance 08-09-19 Granting A Conditional Use Permit to Allow for an Automated Teller Machine (ATM) as a secondary principal use and a Variance to Section 11.5-3.1, Front Yards, on certain territory legally described as:

A strip of land 30 rods in width of the entire North side of the Northeast Quarter of the Southwest Quarter of Section 14, EXCEPT therefrom all that part thereof lying East of the Public Highway know as State Route No. 61 (Illinois 31), in Township 45 North Range 8 East of the Third Principal Meridian, ALSO EXCEPT therefrom that part conveyed to McHenry Township by deed recorded December 28, 1984 as Document 897957 (Township Park Entry Road, in McHenry County, Illinois.

Commonly known as 3535 N. Richmond Rd.
PIN # 09-14-300-016

WHEREAS, A PUBLIC HEARING was held by the Zoning Board of Appeals, after due notice in the manner provided by law; and

WHEREAS, THE ZONING BOARD OF APPEALS, has, upon holding a hearing, made a report of said request to the Village Board; and

WHEREAS, THE VILLAGE BOARD has reviewed the report put forth by the Zoning Board of Appeals and based upon the Board findings that the granting of Conditional Use Permit 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 Ordinance 08-09-18 Granting a Conditional Use Permit to allow an Automated Teller Machine (ATM) as a secondary principal use on the subject property be amended to accommodate the rewapping of the ATM structure as depicted in the Attached Exhibit A.

SECTION 2: That all other requirements set forth in Ordinance 08-09-18, remain in effect.

SECTION 3: 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 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: 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 Curry, Frost, Hagen and Klemstein

Voting Nay: None

Absent: Trustees Hutchinson and McEvoy


Abstain: None

APPROVED:



Village President Edwin P. Hettermann

ATTEST:


Village Clerk Claudett E. Peters

Passed: November 20, 2018

Approved: November 20, 2018

Published: November 20, 2018

Prepared by:

Claudett E. Peters

Village of Johnsburg

1515 Channel Beach Avenue

Johnsburg, IL 60051

CERTIFICATION

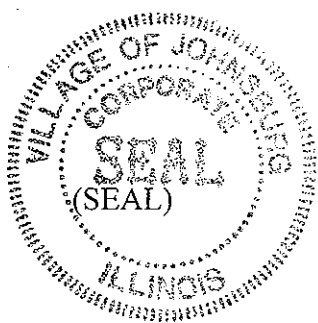
I, CLAUDETT E. PETERS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

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 20th day of November, 2018, the foregoing Ordinance entitled "***An Ordinance Granting A Conditional Use Permit to allow for an Automated Teller Machine (ATM) as a Secondary Principal Use and Granting a Variance to Section 11.5-3.1, Front Yards, of the Johnsburg Zoning Ordinance For Property Commonly Known as 3535 Richmond Rd., Johnsburg, Illinois***" was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 08-09-19, 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 20th day of November, 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 20th day of November, 2018.



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