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**ORDINANCE NO. 18-19-36**

*An Ordinance Granting an Amendment Section 11.4-3.4  
of the Johnsburg Zoning Ordinance for the property  
Commonly Known as Johnsburg Dental Center  
4113 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 18, 2019  
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

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of the Johnsburg Zoning Ordinance for the property  
Commonly Known as Johnsburg Dental Center  
4113 N. Johnsburg Road, Johnsburg, Illinois***

WHEREAS, Conrad Mazeski, on behalf of McHenry State Bank Trust #12611, filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a variance to Section 11.4-3.4 of the Johnsburg Zoning Ordinance to permit a principal structure setback of five (5) feet in lieu of the otherwise required fifty (50) feet. Said request is to accommodate a one-story addition onto an existing dental office on the property commonly known at 4113 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 has determined that the granting of the requested variance is not in harmony with the general purpose and intent of the Zoning Code but that a variance to permit a principal structure setback of ten (10) feet is consistent with the primary uses and zoning of the area and would be in harmony with the general purpose and intent of the Zoning Code;

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 be granted to permit a principal structure setback of ten (10) feet in lieu of the otherwise required fifty (50) feet to accommodate a one-story addition onto an existing dental office on the property commonly known at 4113 N. Johnsburg Road, Johnsburg, Illinois 60051;

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.

**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 18<sup>th</sup> day of March 2019, the foregoing Ordinance entitled *An Ordinance Granting a Variance to Section 11.4-3.4 of the Johnsburg Zoning Ordinance for the property Commonly Known as the Johnsburg Dental Center, 4113 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. 18-19-36, 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 18<sup>th</sup> day of March, 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 18th day of March, 2019.



A handwritten signature in black ink, appearing to read "C. Peters", written over a horizontal line.

Claudett E. Peters, Village Clerk  
McHenry County, Illinois

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

APPROVED:



Village President Edwin P. Hettermann



ATTEST:



Village Clerk Claudett E. Peters

Passed: March 18, 2019  
Approved: March 18, 2019  
Published: March 18, 2019

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