
ORDINANCE NO. 20-21-03
*An Ordinance Granting a Variance to Section 7.1-4 and 10.4-6.1
Of the Johnsburg Zoning Ordinance for the property commonly
Known as 2016 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 JUNE 16, 2020
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
Beth Foreman
Kyle Frost
Josh Hagen
Greg Klemstein
Kevin McEvoy

Village Administrator

Claudett E. Sofiakis

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WHEREAS, Lesley Behnke filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a variance to Section 7.1-4 Accessory Structures and 10.4-6.1 Front Yard Setbacks, of the Johnsburg Zoning Ordinance for the property commonly known as 2016 Sunnyside Beach Drive, Johnsburg, Illinois; and

WHEREAS, the applicant requested that the Planning and Zoning Commission for the Village of Johnsburg recommend that a variance be granted to Section 7.1-4 of the Johnsburg Zoning Ordinance to permit the construction of an accessory building in front of the principal building on the zoning lot; and to Section 10.4-6.1 to permit a front yard setback of twelve-(12)-feet in lieu of the otherwise required setback of not less than forty-(40)-feet for the structure (*25 feet setback as established by the closest adjacent principle structure*). Said request is to accommodate the construction of a detached garage; and

WHEREAS, A PUBLIC HEARING was held by the Planning & Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, There were no objections raised by the public at the hearing; and

WHEREAS, THE PLANNING & ZONING COMMISSION, has, upon holding a hearing, recommended that the variance be granted to Section 7.1-4 of the Johnsburg Zoning Ordinance to permit the construction of a detached garage in front of the principal building on the zoning lot; and to Section 10.4-6.1 to permit a front yard setback of twelve-(12)-feet for the garage; 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 met on June 16, 2019 to take action on the request for variance.

WHEREAS, THE VILLAGE BOARD has taken note that there were no objections to the variance request;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1: In light of the circumstances described above, a variance is granted to Section 7.1-4 of the Johnsburg Zoning Ordinance to permit the construction of an

detached garage in front of the principal building on the zoning lot; and to Section 10.4-6.1 to permit a front yard setback of twelve-(12)-feet for said detached garage;

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


APPROVED:

(SEAL)



Village President Edwin P. Hettermann

ATTEST:


Village Clerk Claudett Sofiakis

Passed: June 16, 2020
Approved: June 16, 2020
Published: June 16, 2020

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

CERTIFICATION

I, CLAUDETT SOFIAKIS, 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 16th day of June, 2020, the foregoing Ordinance entitled *An Ordinance Granting a Variance to Section 7.1-4 and 10.4-6.1 of the Johnsburg Zoning Ordinance for the property Commonly Known as 2016 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. 20-21-03, 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 16th day of June 2020, 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 16th day of June, 2020.



Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)