
ORDINANCE NO. 20-21-11
*An Ordinance Granting a Variance to Section 7.1-2, 7.1-4, 7.1-7 and 10.4-6.1
Of the Johnsburg Zoning Ordinance for the property commonly
Known as Lot 2 of the Principle Property at 4016 Pitzen Road,
Johnsburg, Illinois, 60051 (PIN 10-17-126-007)*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON AUGUST 18, 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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Johnsburg, Illinois, 60051(PIN 10-17-126-007)***

WHEREAS, Tom & Linda Wemple filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a variances to Section 7, Accessory Buildings and Structures, to accommodate the construction of a detached garage as follows: 1) A variance to Section 7.1-2 to permit the construction of an accessory building or structure prior to the construction of a main building to which it is an accessory; 2) A variance to 7.1-4 to permit the construction of the structure in the front yard on a zoning lot; 3) a variance to 7.1-7 to permit the construction of a detached garage measuring 1088 square feet in lieu of the otherwise permitted 864 square feet; and 4) A variance to 10.4-6.1 Front Yard to permit a front yard setback of approximately 15 feet, consistent with the front yard setback established by the adjacent property, in lieu of the otherwise required 40 feet setback, of the Johnsburg Zoning Ordinance for the property commonly known as Lot 2 of principle property address 4016 Pitzen Road, Johnsburg, Illinois, PIN 10-17-126-007; and

WHEREAS, the applicant requested that the Planning and Zoning Commission for the Village of Johnsburg recommend that variances be granted to Section 7, Accessory Buildings and Structures, to accommodate the construction of a detached garage: 1) A variance to Section 7.1-2 to permit the construction of an accessory building or structure prior to the construction of a main building to which it is an accessory; 2) A variance to 7.1-4 to permit the construction of the structure in the front yard on a zoning lot; 3) a variance to 7.1-7 to permit the construction of a detached garage measuring 1088 square feet in lieu of the otherwise permitted 864 square feet; and 4) A variance to 10.4-6.1 Front Yard to permit a front yard setback of approximately 15 feet, consistent with the front yard setback established by the adjacent property, in lieu of the otherwise required 40 feet setback, of the Johnsburg Zoning Ordinance for the property commonly known as Lot 2 of principle property address 4016 Pitzen Road, Johnsburg, Illinois, PIN 10-17-126-007; and

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

WHEREAS, no objections were raised regarding the variances requested; and

WHEREAS, THE PLANNING & ZONING COMMISSION, has, upon holding a hearing, recommended that the variances be granted to Section 7, Accessory Buildings and Structures, to accommodate the construction of a detached garage: 1) A variance to Section 7.1-2 to permit the construction of an accessory building or structure prior to the construction of a main building to which it is an accessory; 2) A variance to 7.1-4 to permit the construction of the structure in the front yard on a zoning lot; 3) a variance to

7.1-7 to permit the construction of a detached garage measuring 1088 square feet in lieu of the otherwise permitted 864 square feet; and 4) A variance to 10.4-6.1 Front Yard to permit a front yard setback of approximately 15 feet, consistent with the front yard setback established by the adjacent property, in lieu of the otherwise required 40 feet setback, of the Johnsburg Zoning Ordinance for the property commonly known as Lot 2 of principle property address 4016 Pitzen Road, Johnsburg, Illinois, PIN 10-17-126-007; 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 August 4, 2020 to perform a First Read of the request for variance;

WHEREAS, THE VILLAGE BOARD noted that no objections were raised regarding the variances requested; and

WHEREAS, THE VILLAGE BOARD met again on August 18, 2020 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: In light of the circumstances described above, the variances be granted to Section 7, Accessory Buildings and Structures, to accommodate the construction of a detached garage with variances as follows: 1) A variance to Section 7.1-2 to permit the construction of an accessory building or structure prior to the construction of a main building to which it is an accessory; 2) A variance to 7.1-4 to permit the construction of the structure in the front yard on a zoning lot; 3) a variance to 7.1-7 to permit the construction of a detached garage measuring 1088 square feet in lieu of the otherwise permitted 864 square feet; and 4) A variance to 10.4-6.1 Front Yard to permit a front yard setback of approximately 15 feet, consistent with the front yard setback established by the adjacent property, in lieu of the otherwise required 40 feet setback, of the Johnsburg Zoning Ordinance for the property commonly known as Lot 2 of principle property address 4016 Pitzen Road, Johnsburg, Illinois, PIN 10-17-126-007; and;

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

APPROVED:



Village President Edwin P. Hettermann

(SEAL)

ATTEST: 
Village Clerk Claudett Sofiakis

Passed: August 18, 2020
Approved: August 18, 2020
Published: August 18, 2020

Prepared by:
Vinny Lamontagna, Village Assistant Administrator
Village of Johnsburg
1515 Channel Beach Avenue
Johnsburg, IL 60051

CERTIFICATION

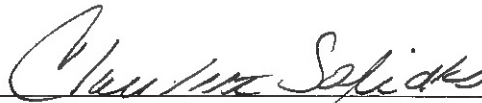
I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

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 18th day of August, 2020, the foregoing Ordinance *An Ordinance Granting a Variance to Section 7.1-2, 7.1-4, 7.1-7 and 10.4-6.1 of the Johnsburg Zoning Ordinance for the property commonly known as (Parcel: 10-17-126-007) Lot 2 of principle property address 4016 Pitzen Road, Johnsburg, Illinois, 60051*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 20-21-11, 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 18th day of August 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 18th day of August, 2020.



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

(SEAL)