
ORDINANCE NO. 21-22-07
*An Ordinance Denying a Variance to Section 7.1-7 Accessory Structures
of the Johnsburg Zoning Ordinance for the Property Commonly Known as
1212 Old Bay Road, Johnsburg, Illinois 60051 (Parcel 10-19-276-008)*

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON AUGUST 3, 2021
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
Scott Letzter

Village Administrator

Claudett E. Sofiakis

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WHEREAS, Thomas and Maria Buckley filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a variance to Section 7.1-7, Accessory Structures of the Johnsburg Zoning Ordinance to allow for an accessory structure with a height of 14 feet (measured to the eaves) in lieu of the otherwise permitted 10 feet to accommodate a detached screened in porch on the property commonly known as 1212 Old Bay Road, Johnsburg, Illinois (Parcel 010-19-276-008); and

WHEREAS, the applicant requested that the Planning and Zoning Commission for the Village of Johnsburg recommend a variance to Section 7.1-7, Accessory Structures of the Johnsburg Zoning Ordinance to allow for an accessory structure with a height of 14 feet (measured to the eaves) in lieu of the otherwise permitted 10 feet for the property commonly known as 1212 Old Bay Road, Johnsburg, Illinois (Parcel 010-19-276-008); 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 by the public regarding the requested variance; and

WHEREAS, THE PLANNING & ZONING COMMISSION, has, upon holding a hearing, determined that the request did not meet the criteria set forth in Section 14.3-5 Variations, Standards of the Johnsburg Zoning Ordinance, and therefore recommended denial of the requested variance to Section 7.1-7, Accessory Structures of the Johnsburg Zoning Ordinance; 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 July 20, 2021 to perform a First Read of the petitioner's request for variance and the Planning and Zoning Commission's recommendation to deny said request;

WHEREAS, THE VILLAGE BOARD noted that the variance request does not meet the criteria set forth in Section 14.3-5 Variations, Standards of the Johnsburg Zoning Ordinance; and

WHEREAS, THE VILLAGE BOARD met again on August 3, 2021 to take action on the petitioner's request and the Planning and Zoning Commissions recommendation to deny said 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, the variance to Section 7.1-7, Accessory Structures be denied for the property commonly known as 1212 Old Bay Road, Johnsburg, Illinois (Parcel 010-19-276-008).

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 Curry, Foreman, Frost, Hagen, Klemstein and Letzter

Voting Nay: None

Absent: None

Abstain: None



APPROVED:

Edwin P. Hettermann

Village President Edwin P. Hettermann

ATTEST:

Claudett Sofiakis
Village Clerk Claudett Sofiakis

Passed: August 3, 2021

Approved: August 3, 2021

Published: August 3, 2021

Prepared by:

Claudett Sofiakis Village Administrator

Village of Johnsburg

1515 Channel Beach Avenue

Johnsburg, IL 60051

C E R T I F I C A T I O N

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 3rd day of August, 2021, the foregoing Ordinance *An Ordinance Denying a Variance to Section 7.1-7, Accessory Structures of the Johnsburg Zoning Ordinance for the Property Commonly Known as 1212 Old Bay Road, Johnsburg, Illinois 60051 (Parcel 10-19-276-008)*, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 21-22-07, 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 3rd day of August 2021, 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 3rd day of August 2021.





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