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**ORDINANCE NO. 13-14-22**

*An Ordinance Granting Variances to  
Sections 7.1-2, 7.1-5 and 7.1-7, Accessory Buildings and Structures  
of the Johnsborg Zoning Ordinance, for Property Commonly Known as  
1817 Sunnyside Beach Drive, Johnsborg, Illinois.*

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AN ORDINANCE PASSED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF JOHNSBURG  
AT THEIR REGULAR MEETING ON OCTOBER 17, 2013  
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

John Huemann  
Mary Lou Hutchinson  
Rich Janusz  
Greg Klemstein  
Kevin McEvoy  
Janice Sisk

Village Administrator

Claudett E. Peters

**ORDINANCE NO. 13-14-22**

***An Ordinance Granting Variances to  
Sections 7.1-2, 7.1-5 and 7.1-7, Accessory Buildings and Structures  
of the Johnsburg Zoning Ordinance, for Property Commonly Known as  
1817 Sunnyside Beach Drive, Johnsburg, Illinois.***

WHEREAS, a petition signed by Daniel Mitchell has been filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, requesting that variances be granted to Sections 7.1-2, 7.1-5 and 7.1-7 Accessory Buildings and Structures of the Johnsburg Zoning Ordinance, on certain territory commonly known as 1817 Sunnyside Beach Drive, 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 report put forth by the Planning & Zoning Commission and based upon the Commission's findings that the granting of the variance 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 variances be granted to: 1) Section 7.1-2 Accessory Buildings and Structures to permit the construction of an accessory building prior to the establishment or construction of a main building to which it is an accessory; 2) Section 7.1-5 to permit a rear yard setback of zero feet in lieu of the otherwise required 10 feet for said accessory structure; and 3) 7.1-7 to permit a detached garage totaling 764 square feet in lieu of the otherwise permitted 624 square feet. Said variances are to accommodate the construction of a detached garage for personal use.

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 Klemstein, Huemann, McEvoy, Sisk and Janusz  
Voting Nay: None  
Absent: Trustee Hutchinson  
Abstain: None

APPROVED:

  
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Village President Edwin P. Hettermann

(SEAL)

ATTEST:   
\_\_\_\_\_  
Village Clerk Claudett E. Peters

Passed: October 17, 2013  
Approved: October 17, 2013  
Published: October 17, 2013

Prepared by:  
Claudett Peters, Village Administrator  
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 17th day of October, 2013, the foregoing Ordinance entitled *An Ordinance Granting a Variance to Sections 7.1-2, 7.1-5, and 7.1-7 Accessory Buildings and Structures of the Johnsburg Zoning Ordinance, for Property Commonly Known as 1817 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. 13-14-22, 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 17th day of October, 2013, 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 17th day of October, 2013.

  
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Claudett E. Peters, Village Clerk  
McHenry County, Illinois

(SEAL)