

ORDINANCE NO. 13-14-29

***An Ordinance Granting a Variance to
Sections 7.2-1, Permitted Fences, of the Johnsburg Zoning Ordinance
to Permit the Construction of a Fence
in the front yard for the property at 1915 Sunnyside Beach Drive***

WHEREAS, Ryan and Julia Barkan have filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a petition requesting that a variance be granted to Sections 7.2-1, Permitted Fences, of the Johnsburg Zoning Ordinance, for certain property commonly known as 1915 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 a variance be granted to Section 7.2-1 Permitted Fences to permit the construction of a fence in the front yard for the property commonly known as 1915 Sunnyside Beach Drive. Said variance is to accommodate a decorative wrought iron fence with 4 inch wide openings not to exceed four feet in height along the side property lines in the yard abutting the river.

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SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.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:
Voting Nay:
Absent:
Abstain:

APPROVED:

Village President Edwin P. Hettermann

(SEAL)

ATTEST: _____
Village Clerk Claudett E. Peters

Passed:
Approved:
Published:

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 ____ day of _____, 2013, the foregoing Ordinance entitled ***An Ordinance Granting a Variance to Sections 7.2-1, Permitted Fences of the Johnsburg Zoning Ordinance, for Property Commonly Known as 1915 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. 13-14-29, 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 ____ day of _____, 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 ____ day of , 2013.

Claudett E. Peters, Village Clerk
McHenry County, Illinois

(SEAL)