

ORDINANCE NO. 16-17-19

An Ordinance Granting a Variance to Section 7.1-7 Accessory Buildings and Structures for the property commonly Known as 3701 Fillmore Rd., Johnsburg, Illinois

WHEREAS, Paul Meyer filed with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, a request for a Variance to Section 7.1-7 Accessory Buildings and Structures for the property commonly known as 3701 Fillmore Rd., Johnsburg, Illinois, PIN 09-14-130-008

WHEREAS, The applicants request that a variance be granted to Section 7.1-7 Accessory Buildings and Structures, to permit the construction of an accessory structure measuring 255 square feet in size (to include the covered deck area) with a maximum height of 16 feet, in lieu of the otherwise permitted 168 square feet structure with a maximum height of 10 feet measured at the eave.

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 minutes 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 7.1-7 Accessory Buildings and Structures, to permit the construction of an accessory structure measuring 255 square feet in size (to include the covered deck area) with a maximum height of 16 feet, in lieu of the otherwise permitted 168 square feet structure with a maximum height of 10 feet measured at the eave. Said variance is to accommodate the construction of a studio.

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 ___th day of September 2016, the foregoing Ordinance entitled ***An Ordinance Granting a Variance to Section 7.1-7 Accessory Buildings and Structures for the property Commonly Known as 3701 Fillmore Rd., Johnsburg, Illinois***, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 16-17-19, 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 ___th day of September, 2016, 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 ___th day of September, 2016.

Claudett E. Peters, Village Clerk
McHenry County, Illinois

(SEAL)