ORDINANCE NO. 2018-07

AN ORDINANCE GRANTING VARIANCES UNDER §82-55 TO SECTIONS 82-234(C)(3) 16 FOOT SIDE YARD; 82-450(2)(B) PARKING SPACES; 82-448(G) 25 FOOT WALL/FENCE; BLANKET VARIANCE TO CHAPTER 6 TWO GROUND SIGNS AND BUILDING SIGNAGE; BLANKET VARIANCES TO 82-492 EXTERIOR ELEVATIONS; CHAPTER 58 SIDEWALKS (MILLS FLEET FARM)

WHEREAS, Applications for Variances have been filed with the Village of Cherry Valley, Illinois as follows with respect to the properties identified by their PINs:

a) §82-234(c)(3) to allow 16 foot side yard set backs on the easterly and westerly boundaries. (PIN 12-35-326-005)

b) §82-450 (2)(b) to allow one parking space for 285.7 square feet of gross habitable floor area versus 200 square feet (Main Building). (PIN 12-35-378-001; 12-35-378-002; 12-35-378-003 and 12-35-326-005)

c) §82-448(g) to allow a 25 foot wall/fence with screening or variations in color along the north and east portions of the building consistent with the drawings submitted and on file with the Village (Main Building). (PIN 12-35-326-005)

d) Blanket variances to Chapter 6 advertising to allow the construction of the two ground signs and building signage as submitted and on file with the Village, i.e. allow building signage, height, size, location composition and landscaping in accordance with the drawing attached as “Exhibit A” (Convenience Store and Main Building). (PIN 12-35-326-005 and 12-35-378-003)

e) Blanket variances to §82-492 Exterior Elevations to allow buildings to be constructed consistent with the drawings submitted and on file with the Village regarding walls, window requirements, roofs, screening, HVAC, materials and colors in accordance with the drawing attached as “Exhibit B”. (PIN 12-35-326-005)

f) Chapter 58 sidewalks not being required. (PIN 12-35-378-001; 12-35-378-002; 12-35-378-003 and 12-35-326-005)

WHEREAS, the Planning and Zoning Commission did convene on March 28, 2018 and recommended approval of all requested variances; and

WHEREAS, in order to grant said variances, it is necessary for the Board of Trustees for the Village of Cherry Valley, Illinois to enact an ordinance.
NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: Variances shall and hereby are granted under Section 82-55 of the Code of Ordinances for the Village of Cherry Valley, Illinois as follows for the properties identified by their PINs:

a) §82-234(c)(3) to allow 16 foot side yard set backs on the easterly and westerly boundaries.  
(PIN 12-35-326-005)

b) §82-450 (2)(b) to allow one parking space for 285.7 square feet of gross habitable floor area versus 200 square feet (Main Building).  

c) §82-448(g) to allow a 25 foot wall/fence with screening or variations in color along the north and east portions of the building consistent with the drawings submitted and on file with the Village (Main Building).  
(PIN 12-35-326-005)

d) Blanket variances to Chapter 6 advertising to allow the construction of the two ground signs and building signage as submitted and on file with the Village, i.e. allow building signage, height, size, location composition and landscaping in accordance with the drawing attached as “Exhibit A” (Convenience Store and Main Building).  
(PIN 12-35-326-005 and 12-35-378-003)

e) Blanket variances to §82-492 Exterior Elevations to allow buildings to be constructed consistent with the drawings submitted and on file with the Village regarding walls, window requirements, roofs, screening, HVAC, materials and colors in accordance with the drawing attached as “Exhibit B”.  
(PIN 12-35-326-005)

f) Chapter 58 sidewalks not being required.  

SECTION 2: A map is attached as “Exhibit C” to assist in the identification of the properties described above.

SECTION 3: This Ordinance shall be in full force and effect from and after its approval, passage, and publication in pamphlet form.
PASSED UPON MOTION BY: NANCY BELT
SECONDED BY: JEFF O’HARA
BY ROLL CALL VOTE THIS 1st DAY OF MAY, 2018
AS FOLLOWS:
VOTING “AYE”: STEPHEN APPELL, NANCY BELT, JEFF FUSTIN,
SALLY HOLLEMBEAK, JEFF O’HARA, DAVID SCHROEDER
VOTING “NAY”: NONE
ABSENT, ABSTAIN, OTHER: NONE

ATTEST: APPROVED: MAY 1, 2018
VILLAGE CLERK, KATHY TRIMBLE
VILLAGE PRESIDENT, JIM E. CLAEYSSEN