ORDINANCE FAILED

ORDINANCE NO. 2019-13

AN ORDINANCE GRANTING A VARIANCE TO THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 82, SECTION 82-7(f)(2) ALLOWING A SIDE YARD FENCE ALONG THE WESTERLY LOT LINE OF THE HOUSE AND NOT THE REAR OF THE HOUSE AS REQUIRED BY VILLAGE ORDINANCE (3945 GENOA ROAD, CHERRY VALLEY, ILLINOIS)

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois has been presented with a petition for a variance to Chapter 82, Section 82-7(f)(2) requesting a side yard fence along the westerly lot line of the house located on said property and not the rear of the house as required by Village Ordinance for the property commonly known as 3945 Genoa Road, Cherry Valley, Illinois and legally described as PIN 16-01-452-014; and,

WHEREAS, the Planning and Zoning Commission Committee did convene on May 15, 2019, and reviewed the request of the petitioner; and,

WHEREAS, at the Planning and Zoning Commission meeting on May 15, 2019, the Committee did review the petition and documents filed and by a vote of zero ayes, six nays, and one absence or abstention did recommend denying the variance requested because only one of the findings of fact necessary to grant a variance were met.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

SECTION 1: A variance, shall and hereby is granted to Chapter 82, Section 82-7(f)(2) allowing a side yard fence along the westerly lot line of the house and not at the rear of the house as required by Village Ordinance as set forth on attached “Exhibit A”.
SECTION 2: This Ordinance shall be in full force and effect from and after its approval and passage by two-thirds (2/3) of all trustees of the Village and publication in pamphlet form.

PASSED UPON MOTION BY: SALLY HOLLEMBEAK

SECONDED BY: JEFF O'HARA

BY ROLL CALL VOTE THIS 4th DAY OF JUNE, 2019

AS FOLLOWS:

VOTING “AYE”: NONE

VOTING “NAY”: STEPHEN APPELL, JEFF FUSTIN, SALLY HOLLEMBEAK, JEFF O’HARA, DAVID SCHROEDER

ABSENT, ABSTAIN, OTHER: NANCY BELT

ATTEST: ORDINANCE FAILED JUNE 4, 2019

KATHY TRIMBLE, VILLAGE CLERK

JIM E. CLAEYSSEN, VILLAGE PRESIDENT