

ORDINANCE NO. 2023- 05

AN ORDINANCE GRANTING A VARIATION UNDER SECTION 82-55 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS TO SECTION 82-234(c)(4) CC – COMMERCIAL COMMUNITY DISTRICT TO ALLOW FOR A FRONT YARD SETBACK OF ZERO FEET (0') ON LOT ONE (1) TO ALLOW FOR THE CONSTRUCTION OF A FENCE FOR THE PROPERTY COMMONLY KNOWN AS PIN: 12-35-176-003 (7311 CHERRYVALE NORTH BLVD.)

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois has been presented with a Petition for a variation under Section 82-55 to Section 82-234(c)(4) CC – Commercial Community District of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow for the construction of a fence with a front yard setback of zero feet (0') on Lot One (1) for the property commonly known as 7311 Cherryvale North Blvd., Rockford, Illinois and legally described as PIN: 12-35-176-003; and,

WHEREAS, the Planning and Zoning Commission Committee did convene on March 15, 2023, and reviewed the request of the petitioner; and,

WHEREAS, the Planning and Zoning Commission meeting of March 15, 2023, after reviewing and making the necessary findings required for the issuance of a variation, the Planning and Zoning Commission did unanimously recommend the granting of the requested variation.

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

SECTION 1: A variation shall and hereby is granted under Section 82-55 of the Code of Ordinances for the Village of Cherry Valley, Illinois, to Section 82-234(c)(4) CC – Commercial Community District to allow for a front yard setback of zero feet (0') on the North line of Lot One (1) for the property commonly known as 7311 Cherryvale North Blvd., Rockford, Illinois, PIN 12-35-176-003, as depicted on attached Exhibit "A" in red.

SECTION 2: This variation, shall also require that the fence constructed be an 8' high cedar privacy fence.

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: CARL WEDIG

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 3RD DAY OF APRIL, 2023

AS FOLLOWS:

VOTING "AYE": JEFF FUSTIN, SALLY HOLLEMBEAK, MIKE NEVILLE,
BRANDI PEARSE, CARL WEDIG

VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: NANCY BELT

ATTEST:

APPROVED: APRIL 3, 2023



KATHY TRIMBLE VILLAGE CLERK



DAVID SCHROEDER VILLAGE PRESIDENT

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