ORDINANCE NUMBER: 2014-12

AN ORDINANCE GRANTING A VARIANCE TO THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, CHAPTER 82, SECTION 82-7(e)(5) ALLOWING FOR THE CONSTRUCTION OF A NON "SIGHT TIGHT" FENCE AND BARBED WIRE STRANDS ALONG THE TOP OF THE FENCING. (5937 SANDY HOLLOW ROAD, ROCKFORD, ILLINOIS) GREATER ROCKFORD AUTO AUCTION

WHEREAS, the owners of the Greater Rockford Auto Auction have petitioned the Village of Cherry Valley, Illinois for a variance to Chapter 82, Section 82-7(e)(5), which would allow for the construction of a non "sight tight" fencing around the perimeter of twenty (20) acres of property as shown on attached "Exhibit A", and legally described on attached "Exhibit B"; and,

WHEREAS, currently, Chapter 82, Section 82-7 (e)(5) requires that "any fence that is constructed on a piece of property zoned commercial or industrial shall be a "sight tight" fence or a solid fence which prohibits any party standing on the outside of the fence from viewing the property which is screened by a fence"; and,

WHEREAS, that the petitioner has demonstrated sufficient cause to the Board of Trustees for the Village of Cherry Valley, Illinois, to grant a variance to Chapter 82, Section 82-7 (e)(5) of the Code of Ordinances for the Village of Cherry Valley, Illinois for security reasons; and,

WHEREAS, a variance has also been requested to allow the petitioner to strand barbed wire across the top of the chain link fence to surround the twenty (20) acres of the petitioner's property; and,

WHEREAS, in order to grant said variance, it is necessary 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: A variance, shall and herby is granted to the property described in attached "Exhibit B" and depicted on "Exhibit A" to Chapter 82, Section 82-7(e)(5) of the Code of Ordinances for the Village of Cherry Valley, Illinois as follows:

1. That the property described in "Exhibit B" and depicted on "Exhibit A" may have constructed on the perimeter thereof, a chain link fence which is not "sight tight".
2. That the chain link non "sight tight" fence described in subparagraph (1) above, shall be allowed to string barbed wire across the top of said fencing.

SECTION 2: 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 GARY MAITLAND

BY ROLL CALL VOTE THIS 20TH DAY OF MAY, 2014.

AS FOLLOWS:

VOTING "AYE": STEPHEN APPELL, NANCY BELT, SALLY HOLLEMBEAK, JOANN HUDSON, GARY MAITLAND, DAVID SCHROEDER

VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: NONE

APPROVED: May 20, 2014

ATTEST:

CLERK

PRESIDENT

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