

**ORDINANCE NO. 2015-18**  
**MOTION FAILED**

**AN ORDINANCE GRANTING A VARIANCE UNDER SECTION 82-55 TO SECTIONS 82-7(f)(2) AND (3) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS TO ALLOW FOR A FOUR (4') FOOT HIGH CHAIN LINK FENCE (125 SOUTH LAWRENCE STREET, CHERRY VALLEY, ILLINOIS)**

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois, has received an application from the owners of the property located at 125 South Lawrence Street, Cherry Valley, Illinois requesting a variance under Section 82-55 to Sections 82-7(f)(2) and (3) which would allow for the construction of a four (4') foot high chain link fence along the southern boundary of said property which would be constructed ten (10') feet west of the public sidewalk; and,

WHEREAS, this application for a variance for the construction of a fence was heard by the Planning and Zoning Commission on August 19, 2015, and said request was not recommended for passage to the Board of Trustees by a vote of zero (0) ayes, six (6) nays and one (1) abstention; and,

WHEREAS, this request for the variance for the construction of a fence is required to be brought to the Board of Trustees for final action.

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 is granted, under the Code of Ordinances for the Village of Cherry Valley, Illinois, Section 82-55 to Sections 82-7(f)(2) and (3) which would allow for the construction of a four (4') foot high chain link fence along the southern boundary line of 125 South Lawrence Street, Cherry Valley, Illinois, which would be constructed ten (10') feet west of the public sidewalk along the entire southern property line for the property described as PIN 16-01-257-011.

**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: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 6th DAY OF OCTOBER, 2015

AS FOLLOWS:

VOTING "AYE": NONE

VOTING "NAY": STEPHEN APPELL, NANCY BELT, JEFF FUSTIN,  
SALLY HOLLEMEBEAK, GARY MAITLAND AND DAVID SCHROEDER

ABSENT, ABSTAIN, OTHER: NONE

MOTION FAILED OCTOBER 6, 2015

ATTEST:

  
VILLAGE CLERK

  
VILLAGE PRESIDENT