

**ORDINANCE 15-12**

**AN ORDINANCE GRANTING A VARIATION FROM THE  
WEST DUNDEE ZONING ORDINANCE PERTAINING TO  
THE MAXIMUM HEIGHT OF A FENCE FOR  
RESIDENTIAL PROPERTY LOCATED AT  
624 EICHLER DRIVE IN THE  
VILLAGE OF WEST DUNDEE, ILLINOIS**

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, The Village of West Dundee has been requested by a petition signed by Mr. James Halverson for a variation from the West Dundee Zoning Ordinance in order to allow for the installation of a six-foot (6') high fence on the northwest and southwest lot lines of his residential lot; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on June 22, 2015, after due notice in the manner provided by law; and

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation, has made a report and recommended the granting of said zoning variation from the West Dundee Zoning Ordinance; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing and presented to the West Dundee Planning and Zoning Commission by the petitioner.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That a variation from Section 9-1A-7C(2) of the West Dundee Municipal Code be and is hereby granted allowing installation of a six-foot (6') high fence on the northwest and southwest lot lines on the following described parcel of property.

LOT 74 OF DUNDEE HIGHLANDS SUBDIVISION, UNIT 8, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS. Said property is commonly described as: 624 Eichler Drive, West Dundee, IL, 60118.

Section 2: That all requirements set forth in the Zoning Ordinance of the Village of West Dundee, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

Section 3: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of granting the variation for the Subject Property are hereby accepted and the variation is granted subject to the following conditions for approval:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application.
2. Compliance with all other applicable Village codes and ordinances.

Section 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized) as provided by law.


AYES: Trustees Pflanz, Wilbrandt, Kembitzky, Price and Yuscka

NAYS: None


ABSENT: Trustee Hanley

ATTEST:

Barbara Traver

  
Village Clerk

Christopher Nelson

  
Village President

Passed: July 13, 2015

Approved: July 13, 2015

Published: July 13, 2015

Prepared by:

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Community Development Department  
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