

ORDINANCE 2017-04

AN ORDINANCE GRANTING VARIATIONS FROM THE WEST DUNDEE ZONING ORDINANCE PERTAINING TO THE FRONT SETBACK REQUIREMENT FOR ACCESSORY MOTOR VEHICLE STORAGE STRUCTURES AND ADDITIONS AND TO ENLARGEMENTS OF NON-CONFORMING STRUCTURES FOR PROPERTY LOCATED AT 318 LIBERTY STREET 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 Julie and Russell Gudvangen for variations from the West Dundee Zoning Ordinance to allow an expansion of an existing single-car detached garage; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on January 30, 2017 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 variations 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, presented to the West Dundee Planning and Zoning Commission by the petitioners.

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

Section 1: That variations from Section 10-3-9(C)(2) *Accessory Buildings, Structures and Uses: Conformance* and Section 10-11-2(B): *Nonconforming Buildings, Structures and Uses: Additions and Enlargements* of the West Dundee Municipal Code be and are hereby granted to allow an expansion of an existing single-car detached garage on the following described parcel of property.

LOT 6 IN BLOCK 8 OF JOSEPH RUSSELL'S ADDITION TO DUNDEE, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED IN BOOK 23, PAGES 44 AND 45 SITUATED IN THE VILLAGE OF WEST DUNDEE, COUNTY OF KANE, ILLINOIS (SAID PROPERTY COMMONLY KNOWN AS 318 LIBERTY STREET, WEST DUNDEE, IL).

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 variations for the Subject Property are hereby accepted and the variations are granted subject to the following conditions for approval:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application; and,
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.

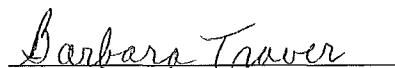
Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


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.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 6th day of February, 2017.

AYES: Trustees Price, Hanley, Yuscka, Wilbrandt and Kembitzky
NAYS: None
ABSENT: Trustee Pflanz

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: February 6, 2017
Approved: February 8, 2017
Published: February 8, 2017

Prepared by:
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