

ORDINANCE 2012-16

**AN ORDINANCE GRANTING A VARIANCE FROM THE
WEST DUNDEE ZONING ORDINANCE
FOR PROPERTY LOCATED AT
218 Oregon Street
West Dundee, Illinois**

WHEREAS, THE VILLAGE OF WEST DUNDEE has been requested in a petition signed by Larry Wilbrandt for a variance from the West Dundee Zoning Ordinance to allow for the construction of a permanently roofed-over pergola encroaching into a required rear and side yards; and

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

WHEREAS, The 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 as 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 4F-3B Accessory Buildings, and Section 10-3-11C of the West Dundee Municipal Code is hereby granted to permit the construction of a permanently roofed-over pergola attached to the existing detached garage in the required rear yard. The setback variation is hereby granted to allow the encroachment of the pergola within the required 3 foot setback in the rear and side and to permit a permanently roofed-over patio in a required rear yard for the following described parcel of property:

Parcel 1: LOT 5 IN BLOCK 3 OF JOSEPH RUSSELL'S ADDITION TO DUNDEE, IN THE VILLAGE OF WEST DUNDEE, ILLINOIS AND Parcel 2: EASEMENT FOR DRIVEWAY CREATED BY WARRANTY DEED DATED FEBRUARY 14 1914, AND RECORDED March 2, 1914, IN BOOK 573, PAGE 254 AS DOCUMENT # 137527 MADE BY JAMES E BUMSTEAD AND WIFE TO WALTER HAERTEL FOR THE BENEFIT OF PARCEL 1 OVER THE EASTERLY 5 FEET OF THE WESTERLY 10 FEET OF LOT 4 IN BLOCK 3 OF JOSEPH RUSSELL'S ADDITION TO DUNDEE, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY ILLINOIS.

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 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 site plan and building sketches submitted by Larry Wilbrandt submitted with application dated March 5, 2012.
2. No additional expansion to detached garage or anywhere else in required rear yard.
3. Locate and staking of north and east property lines prior to commencement of building activity.
4. Compliance with all other applicable 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.

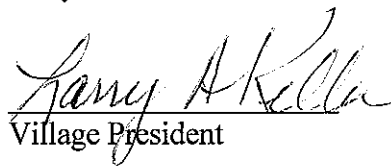
Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

AYES: Trustees Voss, Gillam, Price, Osth, Hanley & Yuscka

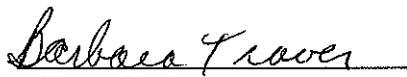
NAYS: None

ABSENT: None

Larry Keller


Village President

ATTEST:
Barbara Traver


Village Clerk

Passed: June 4, 2012
Approved: June 4, 2012
Published: June 4, 2012
Prepared by The Village of West Dundee
100 Carrington Drive
West Dundee, IL 60118