

ORDINANCE 15-23

**AN ORDINANCE GRANTING A VARIATION FROM THE
WEST DUNDEE ZONING ORDINANCE PERTAINING TO
THE REAR YARD SETBACKS FOR RESIDENTIAL PROPERTY
LOCATED AT 1355 CHADWICK COURT 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. Joseph Booth, and his architect Mr. Lucian Lange of Reitan Architects, for a variation from the West Dundee Zoning Ordinance in order to allow the rear yard setbacks to be less than the required 40'; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on September 28, 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 10-4C-2(B)(3) of the West Dundee Municipal Code be and is hereby granted allowing relief from the rear yard setback provision of the RE-3 District on the following described parcel of property:

LOT 21 IN HILL SUBDIVISION UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 16 AND THE NORTH HALF OF SECTION 21, ALL IN TOWNSHIP 41 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS (said property commonly known as 1355 Chadwick Ct, 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 variation for the Subject Property are hereby accepted and the variation is granted subject to the following conditions for approval:

1. Compliance with plans, elevations, and documents 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.

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

NAYS: None

Christopher Nelson



Village President

ATTEST:

Barbara Traver

Barbara Traver
Village Clerk

Passed: October 5, 2015
Approved: October 5, 2015
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Prepared by:
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