

ORDINANCE 2022-12

**AN ORDINANCE GRANTING VARIATIONS FROM ZONING REGULATIONS
PERTAINING TO MAXIMUM FLOOR AREA RATIO (FAR) AND
PLUMBING TO AN ACCESSORY STRUCTURE, FOR PROPERTY
LOCATED AT 615 SOUTH THIRD STREET, WEST DUNDEE, ILLINOIS**

WHEREAS, The Village of West Dundee, Kane County, Illinois (the "*Village*") is a duly organized and validly existing home-rule municipality pursuant Article VII, Section 6(a) of the Constitution of the State of Illinois; and,

WHEREAS, The Village of West Dundee received a petition from John and Karen Hollander, owner of the property commonly known as 615 South Third Street, West Dundee (the "*Subject Property*") and zoned R-3 Single-Family Detached Dwelling District, requesting variations from the West Dundee Zoning Ordinance to allow construction of a 3,040 square foot single-family home with 700 square foot detached garage; and,

WHEREAS, the Subject Property is legally described as:

Lot 16 and 17 in Block 2 of the Riverview Addition to Dundee in the Village of West Dundee, Kane County, Illinois.

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on April 25, 2022 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 and the recommendation of the West Dundee Planning and Zoning Commission.

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 of three percent (3%) from the thirty percent (30%) maximum floor area ratio (FAR) regulation specified by 10-4F-2D – R-3 Single-Family Detached Dwelling District - Floor Area Ratio of the West Dundee Municipal Code be and is hereby granted.

Section 2: That a variation to allow a water service to a detached garage, contrary to Section 9-1G-1 – Building Codes - Residential Code for One- and Two- Family Dwellings of the West Dundee Municipal Code be and is hereby granted, pursuant to the following conditions:

1. Village-approved limited sizes for water supply and drainage lines;
2. Compliance of potable water service with Illinois Plumbing Code;
3. Conditioned space shall meet the International Energy Conservation Code; and,
4. Recordation of this Ordinance with the Kane County Recorder's Office to ensure awareness of limitations and restrictions by future property owners.

Section 3: 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 4: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of granting zoning variations for FAR and water service to a detached garage at the Subject Property are hereby accepted and the variations are granted subject to the following conditions for approval:

1. Compliance with documents 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 2nd day of May, 2022.

AYES: Trustees Price, Yuscka, Haley, Alopogianis and Anderley
NAYS: None
ABSTAIN: Trustee Wilbrandt

ATTEST:


Mary Jo Pape
Village Clerk


Christopher Nelson
Village President

Passed:
Approved:
Published:

Prepared by:
Village of West Dundee
Economic Development Department
100 Carrington Drive
West Dundee, IL 60118