

ORDINANCE 2012-11

**AN ORDINANCE GRANTING A VARIANCE FROM THE
WEST DUNDEE ZONING ORDINANCE
FOR PROPERTY LOCATED AT
91 Fay Avenue
West Dundee, Illinois**

WHEREAS, THE VILLAGE OF WEST DUNDEE has been requested in a petition signed by Stefanie Dell'Arringa for a variance from the West Dundee Zoning Ordinance to allow for the construction of a covered above grade porch encroaching into a required rear yard; 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 10-4F-2B3 Rear Yards of the West Dundee Municipal Code is hereby granted to permit the construction of a 12 foot by 16 foot covered above grade porch at the rear of the existing house. The setback variation is hereby granted solely to allow the encroachment of the covered porch 24 feet into the required 30 foot rear yard for the following described parcel of property:

LOT 4 AND THE NORTHERLY 3 FEET OF LOT 9 IN BLOCK 7 OF
RIVERSIDE 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 prepared by Stefanie Dell'Arringa as associated with permit application submitted on February 21, 2012.
2. No additional encroachment into the required rear yard.
3. 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.

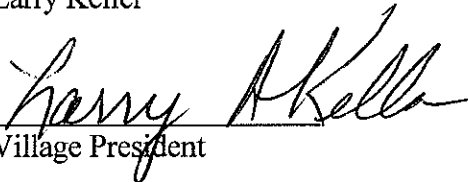
Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

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

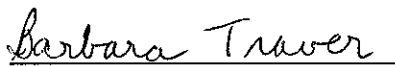
NAYS: None

ABSENT: N/A

Larry Keller


Village President

ATTEST:
Barbara Traver


Village Clerk

Passed: April 2, 2012
Approved: April 3, 2012
Published: April 3, 2012

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