

ORDINANCE 14-37

**AN ORDINANCE GRANTING A VARIANCE FROM THE
WEST DUNDEE BUILDING REGULATIONS
FOR PROPERTY LOCATED AT
1104 Thatcher Trail
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 Lynn Lietz for a variance from the West Dundee Building Regulations to allow for the installation of decorative iron wrought fence measuring five feet three inches (5'3"); and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on September 29, 2014, 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 variation from the West Dundee Building Regulations; 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 a variation from the West Dundee Building Regulations Section 9-1A-7: Fences: (C)(2) of the West Dundee Municipal Code be and is hereby granted allowing the maximum fence height to be increased from 5 feet (5') to five feet three inches (5'3") on the following described parcel of property.

LOT 70 IN HILL SUBDIVISION UNIT NO. 2, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 16, 1989 AS DOCUMENT NO. 1979385, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS

Said property is commonly described as: 1104 Thatcher Trail, West Dundee, IL 60181

Section 2: That all requirements set forth in the Zoning Ordinance and the Building Regulations 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 documents and site plan drawing as submitted with the Planning & Zoning Application.
2. 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, Hanley, Yuscka, Wilbrandt and Kembitzky

NAYS:

ABSENT: Trustee Pflanz

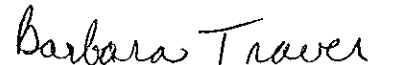
Christopher Nelson



Village President

ATTEST:

Barbara Traver


Village Clerk

Passed: October 6, 2014
Approved: October 6, 2014
Published: October 6, 2014

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