

ORDINANCE 20-19

AN ORDINANCE GRANTING VARIATIONS OF REQUIRED SIDE YARD/SETBACK AND REQUIRED SETBACK FROM THE FRONT OF A PRINCIPAL STRUCTURE FOR A TWO-STORY ADDITION WITH AN ATTACHED TWO-CAR GARAGE FOR PROPERTY LOCATED AT 404 WASHINGTON 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 Dennis and Heather Buck, owners of the property commonly known as 404 Washington Street, West Dundee (the "*Subject Property*") for variations from the West Dundee Zoning Ordinance to allow construction of a two-story residential addition with an attached two-car garage set back less than the required six feet (6') for a side yard and the required 15' from the front of a principal structure; and,

WHEREAS, the Subject Property is legally described as:

THE SOUTH HALF OF LOT 1 AND THE SOUTH HALF OF LOT 2 (EXCEPTING THEREFROM THE SOUTH 65 FEET OF THE WEST 11.75 FEET AND ALSO EXCEPTING THAT PART CONVEYED BY WARRANTY DEED TO FRANK H. REESE BY A WARRANTY DEED RECORDED APRIL 7, 1908 AS DOCUMENT 95545), ALL IN BLOCK 17 IN ORIGINAL TOWN OF WEST DUNDEE, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS (property commonly known as 404 Washington Street, West Dundee).

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on May 26, 2020 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 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 granting three feet (3') of relief from the six-foot side yard/setback regulation required by Section 10-4F-2B(2) Side Yards or Setback and that a variation granting 20.87' of relief from the 15' setback of a garage from the front of a principal structure required by Section 10-4F-3B(1) Additional Regulations of the West Dundee Municipal Code be and are hereby granted to allow construction of a two-story residential addition with an attached two-car garage.

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 a zoning variation for rear yard/setback at the Subject Property are hereby accepted and the variation is 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 15th day of June, 2020.

AYES: Trustees Price, Hanley, Yuscka, Anderley, Wilbrandt and Kembitzky
NAYS: None
ABSENT: None

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: June 15, 2020
Approved: June 15, 2020
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Prepared by:
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