

Ordinance No. 16-15

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS,
GRANTING A SIDE YARD VARIANCE FOR THE PROPERTY AT
3 WENHOLZ AVENUE**

WHEREAS, the Village of East Dundee, Kane and Cook Counties, Illinois (the “Village”) is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to Section 157.207(B)(3) the President and Board of Trustees of the Village (the “Corporate Authorities”) may provide for and allow variances to provide relief from the requirements of the East Dundee Zoning Ordinance (the “Zoning Ordinance”) when there are practical difficulties or a particular hardship with the strict compliance with the Zoning Ordinance; and,

WHEREAS, An application was filed by Lauren Christopherson (the “Applicant”), requesting a variance from Section 157.034(B)(5)(b)2 to reduce the side yard abutting a street from 25 feet to 12 feet to allow for the reconstruction of a legal non-conforming garage with respect to the real property described in Section 1 herein (the “Subject Property”); and,

WHEREAS, notice of a public hearing on said application was published in a newspaper having general circulation within the Village, all as required by the ordinances of the Village; and,

WHEREAS, pursuant to said notice, the Planning and Zoning Commission of the Village conducted a public hearing on April 21, 2016, on said application in accordance with the ordinances of the Village; and,

WHEREAS, the Planning and Zoning Commission made the required written Findings of Fact finding that the variation did not meet the standards in Section 157.207(C) of the Zoning Ordinance and recommended that the variance be denied; and,

WHEREAS, the Corporate Authorities of the Village of East Dundee have received and considered the recommendation of the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of East Dundee, Kane and Cook Counties, Illinois, as follows:

Section 1: That this Ordinance shall apply to the Subject Property legally described as:

Lots 7 & 8 in block 2 of Wenzholz's subdivision, in the Village of East Dundee, Kane County Illinois, PIN: 03-22-259-002, commonly known as 3 Wenzholz Avenue, East Dundee, Illinois.

Section 2: That subject to the conditions set forth in Section 3 a variation pursuant to Section 157.207(D)(1) of the Zoning Ordinance to allow the side yard abutting a street to be reduced from 25 feet to 12 feet is hereby granted for the Subject Property.

Section 3: That the variation shall be constructed, operated and maintained in accordance with the following plans, diagrams and conditions:

- A. The site plan survey prepared by Alan J. Coulson, P.C. last dated January 13, 2003 showing the variance for the reconstruction of the garage attached hereto and made a part hereof as Exhibit A, and
- B. The garage shall be constructed to match the building plans as presented at the Public Hearing on April 21, 2016.

Section 4: That ordinances or parts of ordinances in conflict with the provisions hereof, are hereby repealed to the extent of such conflict.

Section 5: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed this 16th day of May, 2016.

AYES: Trustees Gorman, Lynam, Skillieorn, Selep, Wood and Hall

NAYS: Ø

ABSENT: Ø

Approved this 16th day of May, 2016.

[Signature]
Village President

Attest: [Signature]
Village Clerk

Published in pamphlet form:
May 17th, 2016

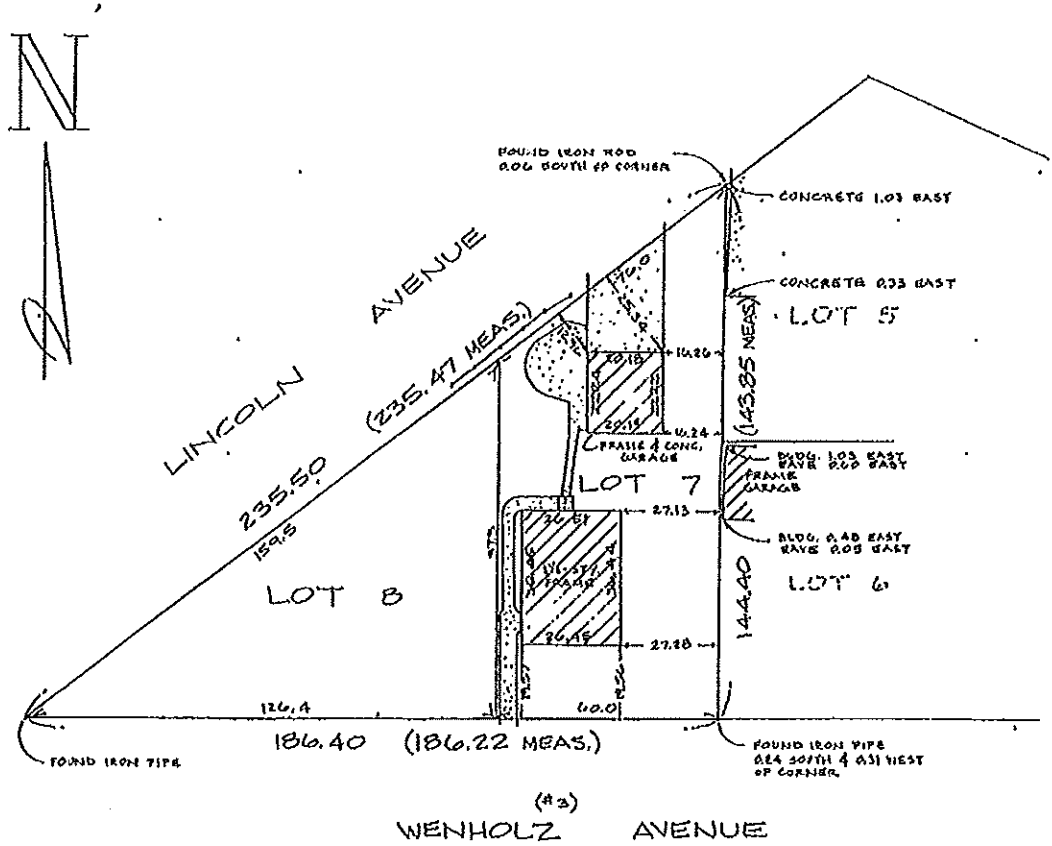
ALAN J. COULSON, P.C.

PROFESSIONAL LAND SURVEYORS

Plat of Survey

OF PROPERTY DESCRIBED AS:

Lots 7 and 8 in Block 2 of Wenholtz's Subdivision, in the Village of East Dundee,
Kane County, Illinois.



Scale: 1"=20'
 Ordered: Mark Christopherson
 Date: 1-13-03
 Drawn: AS
 Job: 816, 34781
 City: East Dundee

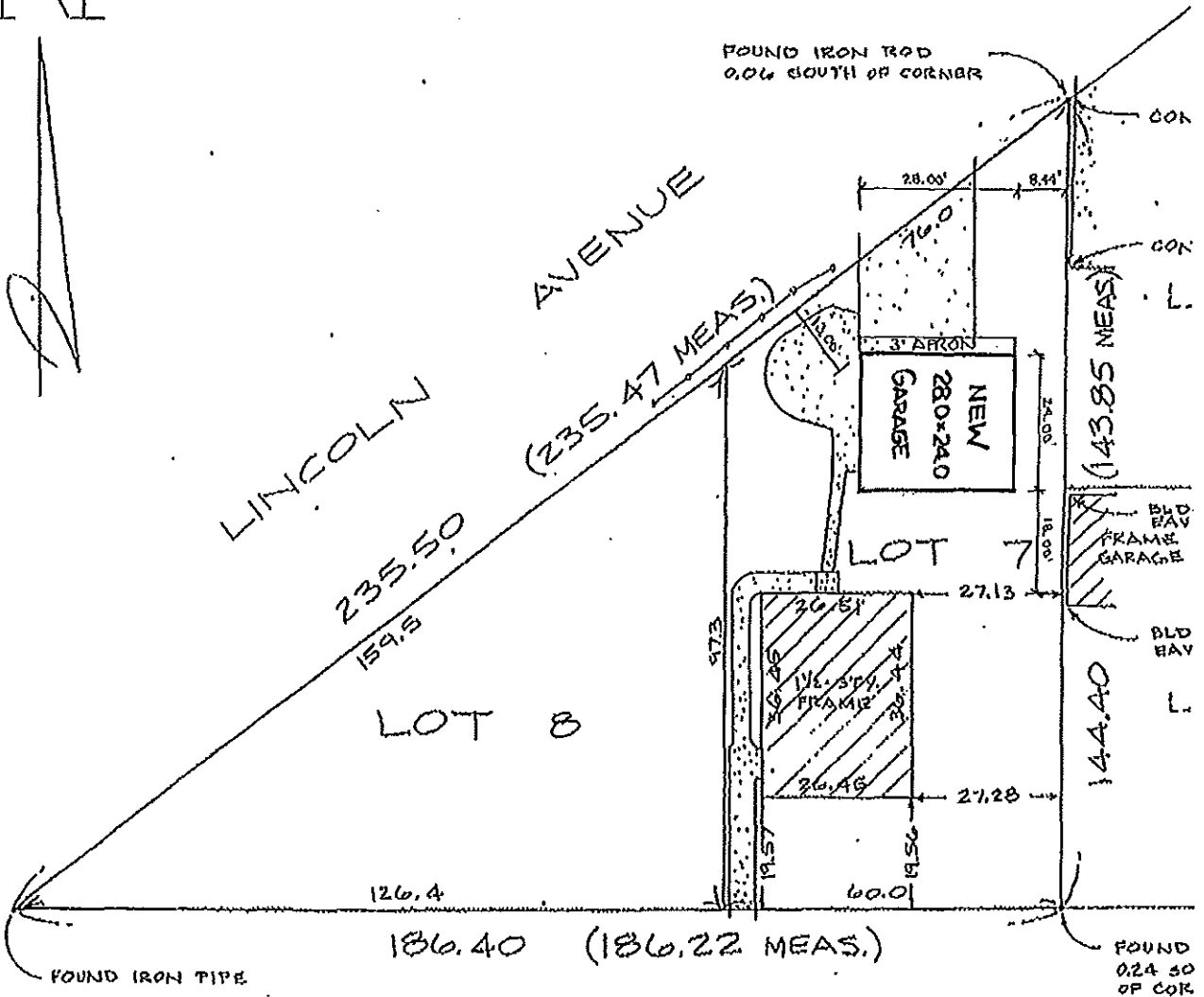
STATE OF ILLINOIS
 COUNTY OF KANE " JAN. 13, 2003
 I, Alan J. Coulson,
 being duly sworn, depose and say that I am the
 author of the above described plat.
 My commission expires on 11-30-08
 Any discrepancy or error should be promptly
 reported to the surveyor for explanation or correction.
 WE DO NOT WARRANT AS TO LOCALITIES OR UNDER-
 GROUND UTILITIES OR UNDETERMINED IMPROVEMENTS.

Professional Design Firm
 Land Surveying Corporation
 License No. 181-002883
 Alan J. Coulson
 P.L.S. No. 352155
 Expiration Date: 11-30-08
ALAN J. COULSON, P.C.
 PROFESSIONAL LAND SURVEYORS
 KANON - WILCOX IN
 203 W MAIN ST
 W DUNDEE, IL 60118 PHONE 815-412-2813

Compare the description on this plat with deed. Refer to deed for easements and building lines.

Lots 7 and 8 in Block 2 of Wenholtz's Subdivision, in the Village of East Dundee, Kane County, Illinois.

N



**PROPOSED
SITE PLAN**

(#3)
WENHOLTZ AVENUE

Scale: 1" = 20'

STATE OF ILLINOIS
COUNTY OF KANE JAN. 13, 2003

TIPS SURVEY I
WITH ERROR



Findings of Fact

Subject Property: 3 Wenholz, East Dundee, Illinois 60118.

Current Zoning Status: R-3

Current Use Status: Residential Home

Requested Action: Requesting variance is from section 157.034(5)(b)(2) for a variance from the required 25 foot side yard abutting a street requirement to allow for a 12 foot side yard setback which would allow the rebuilding of a legal non conforming garage in the location it previously was setback from the street due to the irregularly shaped lot.

Surrounding Land Use and Zoning: Residential

Trend of Development In Area: Residential

Findings: The request conforms to the Village's Comprehensive Plan and the zoning is consistent with the area.

Suitability of Present Zoning:
Yes

Conformance to the Land Use Plan:
Yes

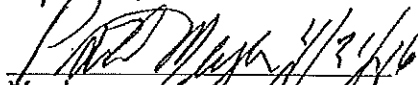
Recommendation:

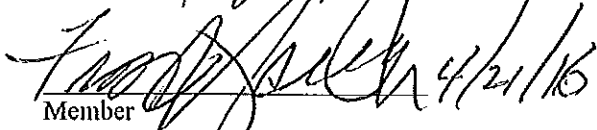
Based on the information contained in the application, the testimony and evidence presented at the public hearing, and the findings outlined herein, the Planning and Zoning Commission hereby *approve* approves the findings of fact by a vote of 7 ayes to 1 nay and to ~~deny~~ the request for variance is from section 157.034(5)(b)(2) for a variance from the required 25 foot side yard abutting a street requirement to allow for a 12 foot side yard setback which would allow the rebuilding of a legal non conforming garage in the location it previously was setback from the street due to the irregularly shaped lot at 3 Wenholz, East Dundee, Illinois.


April 21, 2016


Chairman Brewer



Member 4/21/16

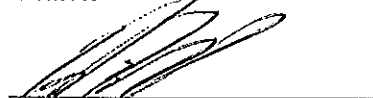

Member 4/21/16


Member 4/21/16


Member


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Member


Member

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