

ORDINANCE NUMBER 20 - 29

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS APPROVING A VARIATION FOR A FRONT YARD
SETBACK FOR AN ACCESSORY STRUCTURE IN THE E- ESTATE DISTRICT AT
509 MAXWELTON, EAST DUNDEE, IL 60118**

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, The Applicant is the homeowner of the property located at 509 Maxwelton, East Dundee, Illinois, legally described in Section 2 below (“Subject Property”); and

WHEREAS, the Applicant filed an application with the Village seeking a variation from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth of the Subject Property as depicted and described in the application; and

WHEREAS, pursuant to Section 157.207 of the Zoning Ordinance, and the Village’s home rule authority, the President and Board of Trustees of the Village (collectively the “Corporate Authorities”) may provide for and allow variations to the requirements of the Zoning Ordinance when there are practical difficulties or a particular hardship with the strict compliance with the Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission of the Village convened and held a public hearing on July 9, 2020 to consider the application pursuant to the variance for front yard setback; and

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 157.207 of the Zoning Ordinance and made a recommendation to approve the requested variation subject to the Condition 1 contained within Section 3 of this Ordinance; and

WHEREAS, the Corporate Authorities have received and considered the recommendation of the Planning and Zoning Commission and find it to be in the best interests of the health, safety and welfare of its residents to approve the requested variation subject to the conditions contained within Section 3 of this Ordinance;

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

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Variation. That the Corporate Authorities hereby grant the variation for the Subject Property, legally described as:

ESTATES 1, 2, 3, 4, 5, 6, 13, 14, 15 AND 16 IN BLOCK 3 OF LAKEWOOD LODGE ESTATES, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

Part of PIN 03-23-128-020

Commonly known as 509 Maxwellton, East Dundee, IL 60118

Variation

A variation from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth is approved for the Project on the Subject Property subject to the conditions contained within Section 3 of this Ordinance. The front yard setback along Ashland Avenue shall be reduced to 20 feet and the front yard setback along Kenilworth Avenue shall be reduced to 30 feet.

SECTION 3: Conditions. The variation is herein granted with the following conditions:

1. Petitioner must plant trees (spruce or evergreen) along Ashland Avenue and Kenilworth Avenue sides of property to make a reasonable attempt to screen portions of the accessory building from street view. The planting of such trees shall be as approved by the Village Engineer.
2. The variation granted in this Ordinance is specific to the Project as proposed in the Application and shall not apply to any other development of the Subject Property.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

PASSED by vote of the Board of Trustees this 13th day of July, 2020 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Mahony, Andresen and Kunze

NAYES: None

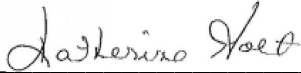
ABSENT: None

APPROVED by me this 13th day of July, 2020.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 14th day of July, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on July 14, 2020.