

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-21-018 AN ORDINANCE GRANTING A VARIANCE TO ALLOW REDUCTION OF THE REQUIRED SIDE SETBACK FOR A DETACHED GARAGE LOCATED AT 569 GILBERT DR., WOOD DALE, ILLINOIS**

Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 15th day of July, 2021



Lynn Curiale, City Clerk



SEAL

Ordinance #O-21-018

**AN ORDINANCE GRANTING A VARIANCE TO ALLOW REDUCTION OF THE
REQUIRED SIDE SETBACK FOR A DETACHED GARAGE LOCATED AT 569
GILBERT DR., WOOD DALE, ILLINOIS**

Passed: July 15, 2021
Published in Pamphlet Form: July 16, 2021

I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of #O-21-018

**AN ORDINANCE GRANTING A VARIANCE TO ALLOW REDUCTION OF THE
REQUIRED SIDE SETBACK FOR A DETACHED GARAGE LOCATED AT 569
GILBERT DR., WOOD DALE, ILLINOIS**

Passed and approved by the City Council of the City of Wood Dale on July 15, 2021 and hereby published in pamphlet on July 16, 2021



Lynn Curiale, City Clerk



ORDINANCE NO. O-21-018

**AN ORDINANCE GRANTING A VARIANCE TO ALLOW REDUCTION OF THE
REQUIRED SIDE SETBACK FOR A DETACHED GARAGE LOCATED AT
569 GILBERT DR., WOOD DALE, ILLINOIS**

WHEREAS, the City of Wood Dale ("City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City is authorized and empowered, under the Illinois Municipal Code and the Code of Ordinances of the City of Wood Dale ("City Code"), to regulate properties located within the municipal boundaries of the City; and

WHEREAS, in furtherance of this authorization, the City has adopted a Unified Development Ordinance ("UDO"), codified in Chapter 17 of the City Code, which sets forth regulations regarding the use of property within the City; and

WHEREAS, section 17.602 of the UDO requires a five foot setback for accessory structures from the side residential property line; and

WHEREAS, the Petitioner, Turkan Ozturk, owner of the property located at 569 Gilbert Dr., Wood Dale, Illinois (the "Property"), filed an application for a variation from strict compliance with the UDO to allow for a four foot eight inch setback for a detached garage from the side of the Property, which application is identified as Case No. VAR-2021-0002; and

WHEREAS, on June 21 2021, the Community Development Commission held a public hearing on the proposed variance in Case No. VAR-2021-0002 following the necessary publication of a legal notice pursuant thereto, as required by law and the City Code; and

WHEREAS, following said hearing, the Community Development Commission voted to recommend denial of the proposed variance, predicated on the Petitioner's application, testimony presented, and UDO requirements; and

WHEREAS, the proposed variance; Findings of Fact set forth in the Staff Report relative to Case No. VAR-2021-0002, dated June 21, 2021, attached hereto and incorporated herein by reference as Exhibit A; and recommendation of the Community Development Commission have been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, and the Planning, Zoning and Building Committee of the City Council has recommended approval of the variance to the UDO relative to the Petitioner's request by a vote in excess of a 2/3rds majority vote; and

WHEREAS, the City Council of the City of Wood Dale has reviewed the matter herein and has determined that granting Petitioner's request in Case No. VAR-2021-0002

is in the best interests of the health, safety and welfare of the citizens of the City of Wood Dale by a vote in excess of a 2/3rds majority vote.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOOD DALE, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: Petitioner in Case No. VAR-2021-0002 is granted a variance from section 17.602 of the UDO to allow for a four foot eight inch setback for a detached garage from the side of the Property in the location set forth in the Staff Report, predicated on the Findings of Fact set forth in the Staff Report, as are adopted herein.

SECTION THREE: That all ordinances or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION FOUR: That the City Clerk of the City of Wood Dale is hereby directed to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 15th day of July, 2021

AYES: 4

NAYS: 0

ABSENT: Alderman Somenbro, Messina

APPROVED this 15th day of July, 2021

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Lynn Curiale
Lynn Curiale, City Clerk

Published in pamphlet form July 16, 2021