

No. 2023 - 9

**AN ORDINANCE
GRANTING A VARIANCE OF THE MAXIMUM LOT COVERAGE REQUIREMENT
OF SECTION 8-3A-1 OF THE VILLAGE CODE TO ALLOW FOR CONSTRUCTION
OF A SUNROOM ADDITION AT 903 HOLLY COURT IN THE R-1 RESIDENTIAL
DISTRICT IN THE VILLAGE**

WHEREAS, Bernard Jensen, and Mary Jensen, owners of the property at 903 Holly Court in the Village, filed a Village of Sleepy Hollow Development Application petitioning for a Variance to allow for the construction of a sunroom addition to the existing residential structure, exceeding the allowable 15% lot coverage under §8-3A-1 of the Village Code; and

WHEREAS, the property is legally described as follows:

Lot 38 of Sleepy Hollow Manor, Unit No. 13, being a subdivision of part of the North ½ and the Southeast ¼ of Section 28, Township 42 North, Range 8 East of the Third Principal Meridian, in the Village of Sleepy Hollow, Kane County, Illinois.

PIN: 03-28-252-026; and
Common Address: 903 Holly Court, Sleepy Hollow, IL

WHEREAS, a public hearing regarding the Petition for Variance was conducted by the Sleepy Hollow Planning and Zoning Commission on June 26, 2023, pursuant to the notice published in the Fox Valley Daily Herald newspaper on June 9, 2023; and

WHEREAS, following consideration of the Development Application petitioning for a Variance, and the testimony of the Petitioners, and comments from the public, the Planning and Zoning Commission recommended to the Village Board that the Variance be approved, and forwarded to the Board of Trustees its written Findings of Fact and Recommendation regarding the same; and

WHEREAS, the Board of Trustees, after reviewing the Development Application for Variance, the proceedings at the public hearing, the Findings of Fact and Recommendation of the Planning and Zoning Commission, finds the standards for variance have been met in this case, and deems it to be in the best interests of the Village that said application be approved, and a variance be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: A Variance of the maximum lot coverage requirement of the Sleepy Hollow Municipal Code, Section 8-3A-1, to allow for the construction of a sunroom addition to the existing residence on the property located at 903 Holly Court and classified in the R-1

Residential Zoning District in the Village, shall be and hereby is permitted and granted, pursuant to the Sleepy Hollow Municipal Code, Section 8-6A-3.

Section 2: Said variance shall be subject to the following conditions:

- a) The owners shall apply for and obtain an appropriate building permit before commencing construction and shall satisfy the requirements of the Village Building Regulations in constructing said sunroom addition.
- b) The grant of variance shall expire if not construction on said sunroom addition is commenced by Owner within one year of the date of passage of this Ordinance; provided, said use will be deemed to have commenced as of the date a building permit has been issued by the Village.

Section 3: Any and all ordinances, resolutions and orders, or parts thereof, which are in conflict with the provisions of this Ordinance, to the extent of any such conflict, hereby superseded and waived.

Section 4: If any section, subdivision, sentence or phrase of this Ordinance is for any reason held to be void, invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED this 17th day of July, 2023, pursuant to roll call vote as follows:

AYES: DeAtlee, Thomas, HARNY, MCGUIRE, BOE

NAYS: NONE

ABSTAIN: NONE

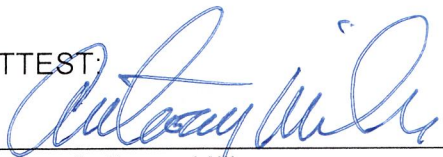
ABSENT: NONE

APPROVED this 17th day of July, 2023.



Stephan Pickett
Village President

ATTEST:



Anthony Mills
Village Clerk