

**ORDINANCE NO. O-14-15**

**AN ORDINANCE AUTHORIZING A VARIATION TO THE ACCESSORY  
STRUCTURE BULK REGULATIONS TO ALLOW FOR CONSTRUCTION OF A  
FENCE AT 430 EAST POTTER STREET**

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

**WHEREAS**, in furtherance of this authorization, the City of Wood Dale has adopted a the Unified Development Ordinance, which sets forth provisions regarding zoning and zoning standards for uses within the City; and

**WHEREAS**, Stamos Memmos as property owner has petitioned the City of Wood Dale for approval of a Variation to allow for the construction of a six (6)-foot high fence on the property commonly known as 430 East Potter Street, which is legally described in Exhibit "A," attached hereto and incorporated herein by reference; and

**WHEREAS**, to allow construction of the proposed fence, the Petitioner has requested a variation from the fence height and placement requirements as set forth in Section 17.602.B.3.b of the Unified Development Ordinance; and

**WHEREAS**, on May 12, 2014, the Community Development Commission held a public hearing on the proposed Variation, and based on the facts set forth at hearing, voted to recommend the approval of the proposed Variation, subject to conditions; and

**WHEREAS**, the proposed Variation, as recommended for approval by the Community Development Commission, has been considered by the Planning, Zoning and Building Committee of the City Council of the City of Wood Dale, which has also recommended approval of the Variation, subject to conditions; and

**WHEREAS**, the City Council of the City of Wood Dale has reviewed the matter herein and has determined that the same is in the best interests of the City of Wood Dale.

**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:** The Subject Property, as legally described in Exhibit "A" attached

hereto, is currently zoned under the Unified Development Ordinance of the City of Wood Dale as R-3 Single-Family Residence District, which zoning classification shall remain in effect subject to the variation granted herein:

A variation from the fence height and placement requirements as set forth in Section 17.602.B.3.b of the Unified Development Ordinance to accommodate construction of a six- (6) foot high fence on the Subject Property.

**SECTION THREE:** As a condition of the grant of the Variation, the following conditions shall apply and be in full force and effect:

1. The fence must start no closer to Potter Street than the northeast corner of the residence that is approximately twenty-one (21) feet from the northern property line and twenty-five (25) feet from the eastern property line; and
2. The fence must preserve a ten (10) foot sight triangle at the southeast corner of the property.

**SECTION FOUR:** That the City Clerk of the City of Wood Dale be and is directed hereby 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 5th day of June, 2014

AYES: Aldermen Catalano, Jakab, Lazzara, Susmarski, E. Wesley, R. Wesley, Winger, and

NAYS: Woods None

ABSENT: None

APPROVED this this 5th day of June, 2014

SIGNED: Annunziato Pulice  
Annunziato Pulice, Mayor

ATTEST: Shirley J. Siebert  
Shirley J. Siebert, City Clerk

Published in pamphlet form this 5th day of June, 2014

**EXHIBIT A**

**LEGAL DESCRIPTION**

Lot 1 in Gillespie's Resubdivision, being a resubdivision of part of Lot 14 in Block 50 in First Addition to Percy Wilson's Irving Park Manor, in the Northeast Quarter of Section 15, Township 40 North, Range 11, East of the Third Principal Meridian, according to the plat of said resubdivision recorded December 31, 2003 as Document Number R2003-485925, in DuPage County, Illinois.