

ORDINANCE NUMBER 18 - 19

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS APPROVING THE REZONING TO THE
R-5 MULTIPLE DWELLING DISTRICT FOR THE PROPERTY LOCATED
AT 811 E. MAIN STREET**

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, Billitteri Enterprises ("Applicant") is the contract purchaser of the property located at 811 E. Main Street, East Dundee, Illinois, legally described in Section 2 below ("Subject Property"); and

WHEREAS, the Applicant filed an application with the Village seeking to amend the zoning of the Subject Property from the B-2 Community Business District and B-3 Service Business District to the R-5 Multiple Dwelling District ("Application"); and

WHEREAS, the Planning and Zoning Commission of the Village convened and held a public hearing on August 2, 2018 to consider the Application pursuant to notice sent to those persons to whose names appear on the current real estate tax bills of all lots within 250 feet of the Subject Property, published in a newspaper having general circulation within the Village, and posted at the Subject Property, all in accordance with Section 157.233 of the Zoning Ordinance of the Village of East Dundee ("Zoning Ordinance"); and

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 157.223 of the Zoning Ordinance and made a recommendation to deny the Application; and

WHEREAS, the President and Board of Trustees of the Village ("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 Application and to amend the zoning classification of the Subject Property;

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: Rezoning. That the Corporate Authorities hereby grant the Application and approve the change in zoning district classification of the Subject Property, legally described as:

PART OF THE EAST HALF OF THE SE QUARTER OF SECTION 23,
AND PART OF THE EAST HALF OF THE NE QUARTER OF SECTION
26, ALL IN TOWNSHIP 42 N, RANGE 8 EAST OF THE 3RD PRINCIPAL
MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY,
ILLINOIS

with Property Index Numbers 03-23-479-003 and 03-26-227-011, from the B-2 Community Business District and B-3 Service Business District to the R-5 Multiple Dwelling District.

SECTION 3: Zoning Map. That the official zoning map of the Village be and is hereby amended to reflect the new zoning district classification of the Subject Property approved in Section 2 above.

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 this 20th day of August, 2018 pursuant to a roll call vote as follows:

AYES: Trustees Selop, Wood, Hall, Mahony and Andresen

NAYES: Trustee Lynam

ABSENT: Ø

APPROVED by me this 20th day of August, 2018.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 21st day of August, 2018, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 21, 2018.