

**ORDINANCE NUMBER 10 - 10**

**ORDINANCE GRANTING A SPECIAL USE AND  
VARIANCE FOR THE PROPERTY COMMONLY KNOWN  
AS 610 SOUTH DUNDEE AVENUE, EAST DUNDEE,  
ILLINOIS**

**WHEREAS**, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the President and Board of Trustees of the Village of East Dundee have determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Petitions P/Z 10-03-01 and PZ 10-03-02, Eugene Pileggi for a variance of Section 156.04(C)(1)(a) to allow for a second sign on the building for visibility on Route 72. Mr. Pileggi is also requesting a Special Use of Section 157.050(J)(3) and Section 157.051(D)(8) to allow for a 24 hour business use in a B-3 District at 610 S. Dundee Avenue, East Dundee, Illinois 60118, be granted.

**WHEREAS**, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, held a hearing on March 9, 2010, on Petition No. P/Z 10-03-01 and PZ 10-03-02; and

**WHEREAS**, pursuant to said hearing, the Commission recommended approval of the request for a special use for the property commonly known as 610 South Dundee Avenue, Village of East Dundee, Illinois, by a vote of 6 ayes, 0 nays, and 3 absent; and

**WHEREAS**, pursuant to said hearing, the Commission recommended approval of the request for a variance for the property commonly known as 610 South Dundee Avenue, Village of East Dundee, Illinois, by a vote of 6 ayes, 0 nays, and 3 absent.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That a variance for the property commonly known as 610 South Dundee Avenue, East Dundee, Illinois, requested pursuant to Petition No. 10-03-01 is hereby granted to allow for a Business Service Use in the B-3 Community Business District.

**Section Two.** That a special use for the property commonly known as 610 South Dundee Avenue, East Dundee, Illinois, requested pursuant to Petition No. 10-03-02 is hereby granted to allow for a Business Service Use in the B-3 Community Business District.

**Section Three. Severability.** 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 Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Five. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 15<sup>th</sup> day of March, 2010, pursuant to a roll call vote as follows:

AYES: 6 - Trustees Ruffalo, Gorman, Lynam, Cichowski, Miller & VanOstenbridge  
NAYES: 0

ABSENT: 1 - President Bartels

Approved by me this 15<sup>th</sup> day of March, 2010.

Michael Ruffalo  
JERALD BARTELS, President  
Michael Ruffalo, President Pro-Temp

Published in pamphlet form this 17<sup>th</sup> day of March, 2010, under the authority of the President and Board of Trustees.

ATTEST:  
Jennifer Rehberg  
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on March 17<sup>th</sup>, 2010.

