

# ORDINANCE NUMBER 05 - 19

## ORDINANCE GRANTING ZONING VARIATIONS FOR THE PROPERTY COMMONLY KNOWN NORTH GATE MANOR SUBDIVISION, 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 Planning and Zoning Commission (herein the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on June 9, 2005, on Petition No. P/Z-05-03-01 requesting a variation from the requirements of the Zoning Ordinance for the property commonly known as North Gate Manor Subdivision, East Dundee, Illinois; and

**WHEREAS**, pursuant to said hearing, the Commission approved the Petition and adopted specific Findings of Fact concerning the application of standards and for this subject property by a vote of 9 ayes, 0 nays, and 0 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 the Findings of Fact of the Commission are hereby approved and adopted and that the variations approved by the Commission pursuant to Petition No. P/Z 05-03-01 for variations from the requirements of the Zoning Ordinance be granted for the property commonly known as North Gate Manor Subdivision, East Dundee, Illinois as follows:

1. Section 155.046(G)(1). A variation to waive the requirement thereby permitting a double frontage for lot 7;
2. Section 155.048. A variation to waive sidewalk requirements;

3. Section 155.045(B). A variation to allow a waiver of a continuation of a new street; and
4. Sections 155.045(G)(1)(2)(3)(4). A variation to modify the cul-de-sac requirement from 120 foot diameter to 90 foot diameter.
5. Section 157.033(B)(6)(c). A variation of rear yard set back for Lot #6 from 30 feet to 20 feet..
6. Section 157.033(B)(6)(a). A variation of front yard set back for Lot #3 from 30 feet to 25 feet. Only for that portion of the front yard that is adjacent to the cul de sac right of way. The remaining front yard setback on Madison Street remains at 30 feet.
7. Section 155.045(G)(3). A variation of dedicated street right of way width from 60ft. to 50ft.

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 Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Four. 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 6TH day of September, 2005, pursuant to a roll call vote as follows:

AYES: Ruffulo, VanOstenbridge, O'Leary, Gorman, Carlini

NAYES: None

ABSENT: None


Present - but not able to participate- only observe, pursuant to a Court Order:  
Scarpelli, Jr

Approved by me this 6<sup>th</sup> day of September, 2005.

  
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JERRY BARTELS, President

Published in pamphlet form this 27<sup>th</sup> day of September, 2005, under the authority of the President and Board of Trustees.

ATTEST:



NIKKI GILES, Village Clerk

Recorded in the Village Records on September 27<sup>th</sup>, 2005.