

ORDINANCE NUMBER 19 - 09

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS APPROVING A SIGN VARIATION FOR
THE HEIGHT AND WIDTH OF A DEVELOPMENT IDENTIFICATION SIGN
FOR THE PROPERTY AT 200 CHRISTINA DRIVE**

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, Palumbo Management, LLC ("Applicant") is the owner of the property located at 200 Christina Drive, East Dundee, Illinois, legally described in Section 2 below ("Subject Property"); and

WHEREAS, the Applicant filed an application with the Village seeking a sign variation from Section 156.04(A)(3)(b) of the Village of East Dundee Village Code ("Village Code"), which limits development identification signs to a maximum height of nine feet (9') and a maximum width of seven feet (7'), to allow for a development identification sign on the Subject Property of ten feet (10') in height and eight feet (8') in width, as depicted and described in the application ("Application"); and

WHEREAS, pursuant to Section 156.05(B)(3) of the Village Code, and the Village's home rule authority, the President and Board of Trustees of the Village (collectively the "Corporate Authorities") may provide for and allow sign variances from the requirements of the Village Code when there are practical difficulties or a particular hardship with the strict compliance with the Village Code; and

WHEREAS, the Corporate Authorities convened and held a public hearing on March 18, 2019 to consider the Application pursuant to notice; and

WHEREAS, the Corporate Authorities reviewed the standards set forth in Section 157.207(C) of the Village of East Dundee Zoning Ordinance with regard to the Application and find that the standards have been met; and

WHEREAS, the Corporate Authorities find it to be in the best interests of the health, safety and welfare of its residents to approve the Application and to allow the requested sign variation;

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: Sign Variation. That the Corporate Authorities hereby grant the Application for the Subject Property, legally described as:

LOT 3 IN LOT 5 IN TERRA BUSINESS PARK RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 5 IN TERRA BUSINESS PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 24 AND 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS.

with Property Index Number 03-25-126-004, a variation from 156.04(A)(3)(b) of the Village Code is approved on the Subject Property, and the development identification sign depicted in the Application may be built and maintained on the Subject Property at a size of up to ten feet (10') in height and eight feet (8') in width, as depicted and described in the Application. The variation granted in this Ordinance is specific to the development identification sign proposed in the Application and shall not apply to any other sign.

SECTION 4: Recording. That prior to the issuance of any building permit by the Village for the sign depicted in the Application, the Applicant shall record a copy of this Ordinance on title to the Subject Property at Applicant's sole cost and expense, and the Applicant shall provide proof of said filing to the Village.

SECTION 5: 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 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 7: 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.

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ADOPTED this 18th day of March, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Hall, Mahony and Andresen

NAYES: Ø

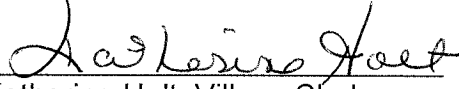
ABSENT: Ø

APPROVED by me this 18th day of March, 2019.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 20th day of March, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on March 20, 2019.