

ORDINANCE NUMBER 08 - 47

**ORDINANCE APPROVING VARIATIONS FOR
THE PROPERTY COMMONLY KNOWN AS
315 BARRINGTON AVE., 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, application has been made by Daniel Scully ("Owner") under Petition No. P/Z 07-10-02 requesting a variance from Section 157.066(A)(1) of the lot area from 18,000 sq. ft. to 10,070 sq. ft. for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois; and

WHEREAS, Owner has also made an application under Petition No. P/Z 07-10-02 requesting a variance from Section 157.066(A)(6)(a) of the front yard set back from 40 feet to 2 feet 6 inches, for the property commonly known as 315 Barrington Ave., East Dundee, Illinois; and

WHEREAS, application has also been made under Petition No. P/Z 07-10-02 by Owner requesting a variance from Section 157.066(A)(6)(b) of the side yard set back from 25 feet to 1 foot 10 inches for the property commonly known as 315 Barrington Ave., Village of East Dundee, Illinois; and

WHEREAS, Owner has also made an application under Petition No. P/Z 07-10-02 requesting a variance from Section 157.066(A)(6)(c) of the rear yard set back from 40 feet to 0 feet, for the property commonly known as 315 Barrington Ave., East Dundee, Illinois; and

WHEREAS, application has also been made under Petition No. P/Z 07-10-02 by Owner requesting a variance from Section 157.065(D) of the minimum distance set back for manufacturing uses and residential uses from 300 feet to 50 feet, for the property commonly known as 315 Barrington Ave., Village of East Dundee, Illinois; and

WHEREAS, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the Village of East Dundee Code of

Ordinances, Chapter 156.05(B)(3) held a hearing on October 11, 2007 and December 13, 2007, on Petition No. P/Z 07-10-02; and

WHEREAS, pursuant to said hearings, the Commission approved the applications under Petition No. P/Z 07-10-02, requesting a reduction of the lot area from 18,000 sq. ft. to the equation of lots 6-10; requesting a reduction of the front yard set back from 40 feet to 20 feet; requesting a reduction of the side yard set back from 25 feet to 1 foot 10 inches; requesting a reduction of the rear yard set back from 40 feet to 0 feet; and requesting a reduction of the minimum distance set back for manufacturing uses and residential uses from 300 feet to 50 feet, by a vote of 4 ayes, 1 nay, 1 abstention, and 1 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 recommendation of the Commission is hereby approved and adopted.

Section Two. That the application for a variance requesting a reduction of the lot area from 18,000 sq. ft. to 10,070 sq. ft. for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-02 is hereby granted.

Section Three. That the application for a variance requesting a reduction of the front yard set back from 40 feet to 20 feet, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-02 is hereby granted.

Section Four. That the application for a variance requesting a reduction of the side yard set back from 25 feet to 1 foot 10 inches, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-02 is hereby granted.

Section Five. That the application for a variance requesting a reduction of the rear yard set back from 40 feet to 0 feet, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-02 is hereby granted.

Section Six. That the application for a variance requesting a reduction of the minimum distance set back for manufacturing uses and residential uses from 300 feet to 50 feet, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-02 is hereby granted.

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

Section Nine. 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 4th day of Aug, 2008, pursuant to a roll call vote as follows:

AYES: Carlinis, Lynam, Cichowski, Mahony,
Pres O'Leary

NAYES: _____

ABSENT: Ruffalo, Gorman

Approved by me this 4th day of Aug, 2008.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 6th day of Aug, 2008, under the authority of the President and Board of Trustees.

ATTEST:
Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Aug 6, 2008.

