

ORDINANCE NUMBER 08 - 02

**ORDINANCE APPROVING A VARIATION FOR THE
PROPERTY COMMONLY KNOWN AS
102 S. VAN BUREN STREET, 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 Brandon and Rebecca LaBarre ("Owners") requesting variations from Section 157.034(B)(5)(a) of the front yard set back from 25 feet to 7.3 feet and from Section 157.034(B)(5)(b) of the side yard set back to 2 feet for a tract presently in the R-3 zoning district under Petition No. P/Z 07-12-01, for the property commonly known as 102 S. VanBuren Street, 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 December 13, 2007, on Petition No. P/Z 07-12-01; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 6 ayes, 0 nays 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 variances under Petition No. P/Z 07-12-01 from the front yard set back of Section 157.034(B)(5)(a) from 25 feet to 7.3 feet and from the side yard set back of Section 157.034(B)(5)(b) to 2 feet for a tract presently in the R-3 zoning district, which is commonly known as 102 S. VanBuren Street, East Dundee, Illinois, is hereby granted.

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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 22 day of Jan, 2008, pursuant to a roll call vote as follows:

AYES: Ruffalo, Gorman, Carlini, Lynam,
~~Cichowski~~ Cichowski, Mahony, Pres. O'Leary

NAYES: _____

ABSENT: _____

Approved by me this 22 day of Jan, 2008.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 29 day of Jan, 2008, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Jan. 29, 2008.

