

ORDINANCE NUMBER 12 - 74

**ORDINANCE GRANTING A SPECIAL USE FOR
THE PROPERTY LOCATED AT 1051 EAST MAIN 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 James Ball, the owner of property located at 1051 East Main, East Dundee, Illinois for a special use for a gymnasium pursuant to Section 157.053(D)(4) pursuant to P/Z 12-09-01; 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 157.224 held a hearing on September 13, 2012, on Petition No. P/Z 12-09-01; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 8 ayes, 0 naves 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 Planning and Zoning Commission is hereby approved and adopted and incorporated herein.

Section Two. That a special use for the property commonly known as 1051 East Main Street, East Dundee, Illinois, requested pursuant to Petition No.12-09-01 is hereby granted to allow the establishment and operation of a gymnasium, CrossFit Gym, subject to the following conditions: _____, as set forth in the Findings of Fact and Recommendation of the Planning and Zoning Commission from September 13, 2012.

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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 17th day of September, 2012, pursuant to a roll call vote as follows:

AYES: 6 - Trustee Gorman, Lynam, Miller, VanOstenbridge, Skillicorn

NAYES: 0 & President Bartels

ABSENT: 1 - Trustee Ruffalo

Approved by me this 17th day of September, 2012.

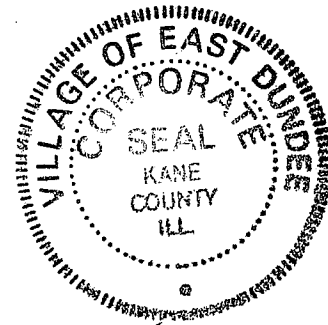
Jerald Bart
Jerald Bartels, President

Published in pamphlet form this 24th day of September, 2012, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
Jennifer Rehberg, Village Clerk

Recorded in the Village Records on Sept. 24th, 2012.



VILLAGE OF EAST DUNDEE



FINDINGS OF FACT
(FACTS RELATED TO PETITION)

Petition: James Ball

Subject Property: 1051 East Main Street, East Dundee, Illinois 60118.

Current Zoning Status: B-3

Current Use Status: Vacant

Requested Action: Requesting an allowable special use to Section 157.053(D)(4) to allow for a gymnasium

Surrounding Land Use and Zoning: B-3 and M-1

Trend of Development In Area: Commercial Businesses

Findings: The request conforms to the Village's Comprehensive Plan and the zoning is consistent with the area.

Suitability of Present Zoning:

Yes

Conformance to the Land Use Plan:


Yes

Recommendation:

Based on the information contained in the application, the testimony and evidence presented at the public hearing, and the findings outlined herein, the Planning and Zoning Commission hereby recommends approval of the following by a vote of ___ ayes to ___ nay.

To approve the request for a **permitted special use of Section 157.053(D)(4) for a gymnasium** on the property commonly known as 1051 East Main Street, East Dundee, Illinois 60118.

September 13, 2012



Chairman Swanson

Paul Meyer
Member

[Signature]
Member

Paul Rosen
Member

Susan L. Holliman
Member

Owen Bernstein
Member

Stu Stuch
Member

[Signature]
Member

Member