

Ordinance No. 17-49

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS, APPROVING A SPECIAL USE FOR A VEHICLE TOWING ESTABLISHMENT ON THE PROPERTY LOCATED AT 1079 ROCK ROAD, EAST DUNDEE, ILLINOIS**

**WHEREAS**, the Village of East Dundee, Kane and Cook Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, pursuant to Section 157.224 of East Dundee Zoning Chapter (the "Zoning 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 the classification of special uses in its zoning ordinances; and,

**WHEREAS**, pursuant to the Zoning Code, any person owning or having an interest in property may file an application to use such property for one or more of the special uses provided for in the zoning district in which the land is situated; and,

**WHEREAS**, under the authority of the Zoning Code, the property at 1079 Rock Road, East Dundee, Illinois (the "Subject Property"), legally described in Section 2 below, is located in a designated M-1 Limited Manufacturing District, and a vehicle towing establishment is allowed in this district under a special use permit pursuant to Section 157.065(A)(1)(g)2. of the Zoning Code; and,

**WHEREAS**, the Corporate Authorities have received a request for the special use permit for the Subject Property as a vehicle towing establishment from the owner, Pete's A Towing, Inc, of the Subject Property; and,

**WHEREAS**, notice of a public hearing before the Planning and Zoning Commission on the request for a special use was duly published in a newspaper of general circulation in the Village and a hearing held September 14, 2017; and,

**WHEREAS**, the Planning and Zoning Commission reviewed the standards set forth in Section 157.224(c)(2)(g) of the Zoning Code and adopted findings of fact; and,

**WHEREAS**, the Corporate Authorities have reviewed the Planning and Zoning Commission's findings of fact and recommendations, and hereby approve the proposed special use of a vehicle towing establishment on the Subject Property.

**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 1:** The above recitals are incorporated and made a part of this Ordinance.

**Section 2:** The Corporate Authorities hereby approve the special use for the Subject Property legally described as:

Lot 3 in Block 1 of Rock Road Industrial Unit 2-A, in the Village of East Dundee, Kane County, Illinois,

commonly known as 1079 Rock Road, East Dundee, Illinois, (PIN 03-25-251-003) for a vehicle towing establishment subject to the conditions stated in Section 3 below.

**Section 3:** That the special use granted herein shall be constructed, operated and maintained in accordance with the following plans, diagrams and conditions and all work is to be completed by June, 30, 2018:

1. The Special Use Permit cannot be transferred and shall expire at such time Pete's A. Towing, Inc. ceases operations at this location.
2. Outside lighting shall be restricted between the hours of 9:00 p.m. and 6:00 a.m.
3. A security camera system shall be required for stored vehicles.
4. Recommend repair or repave the parking lot and restripe. Striping is not required for the impound area.
5. All parking must occur in designated parking areas only. No storage is allowed on adjacent streets, grass, or public right-of-way.
6. Areas utilized for motor vehicle yards shall comply with all principal structure setbacks requirements of the zoning district.
7. Areas utilized for motor vehicle yards shall be lit from dusk to dawn at an intensity of not less than 1.0 foot candles nor greater than 1.5 foot candles using poles no higher than 25 feet and cutoff fixtures that direct light downward such that the intensity of light at the property line does not exceed 0.5 foot candles.
8. Areas utilized for motor vehicle yards shall be completely screened with a solid wall or fence that is six feet in height. No chain link or mesh type of fence with inserted screening slats shall be used to comply with this provision.
9. No vehicle shall be stored longer than 60 days provided vehicles subject to seizure or impoundment orders shall be exempt from any such limitation
10. All vehicles must be stored inside a building or in areas with a paved, dustless surface that complies with all principal structure setback requirements of the zoning district. In no case shall vehicles be stored closer to the street than the front wall of the primary structure.
11. Test driving of any vehicles for sale shall be prohibited on residential streets.
12. Site plan contingent upon approval of current construction standards.
13. Property owner shall correct the drainage issue with the two storm drain inlets and associated piping, located in the driveway entrances to the property.

**Section 4:** This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

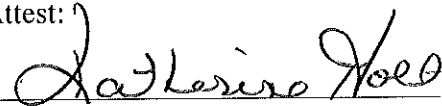
Adopted this 2nd day of October, 2017

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

ABSENT: 

Approved this 2nd day of October, 2017

  
Village President

Attest:  
  
Village Clerk