

**ORDINANCE NUMBER 03 - 07**

**ORDINANCE GRANTING A VARIATION AND  
SPECIAL USE FOR THE PROPERTY COMMONLY  
KNOWN AS 305 EAST MAIN STREET,  
EAST DUNDEE, ILLINOIS**

**WHEREAS**, the Planning and Zoning Commission (herein the “Commission”) of the Village of East Dundee, pursuant to notice, held a hearing on April 10, 2003, on Petition No. P/Z-03-03-04 requesting a variation and special use for the property commonly known as 305 East Main Street, East Dundee, Illinois, for the following:

**A. Variation sought:**

1. to allow the lot size requirement to be reduced to 15,652 square feet in lieu of the required 20,000 square feet pursuant to Article 8, Section C. B-2. of the Zoning Code.
2. to allow a structural addition encroachment of up to 12 lineal feet into the rear yard setback, but not more than 500 square feet.
3. to allow a structural addition encroachment of up to 4 lineal feet into the easterly side yard setback, but not more than 100 square feet.
4. to allow parking in the front 10 lineal feet of the required front yard setback reserved for front landscaping.
5. to reduce the on-site vehicle parking requirement from 18 parking stalls to 11 parking stalls.

6. to allow the exterior parking lot lighting to remain at its current level.

B. **Special Use Sought:** To continue using a portion of the interior space for vehicle fuel sales and add a deli sandwich shop type retail food area in the existing building. Vehicle fuel sales are an allowable special use in this zoning district in accordance with Article 8, Section C. B-2, subsection 4.G. and Article 8, Section B. B-1, subsection A. 15.

**WHEREAS**, pursuant to said hearing, the Commission adopted specific Findings of Fact concerning the application of zoning standards, special use standards, and variation standards for this subject property by a vote of 8 ayes, 0 nays, and recommended that the variation and special use be granted.

**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 Findings of Fact of the Commission are hereby approved and adopted and that the variation and special use approved by the Commission pursuant to Petition No. P/Z 03-03-04 be granted for the property commonly known as 305 East Main Street, East Dundee, Illinois.

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 Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**Section Four. 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 19<sup>th</sup> day of May, 2003, pursuant to a roll call vote as follows:

AYES: Zaeske, Ruffalo, Bartels, Schock, VanOstenbridge, Scarpelli.  
NAYES: None.  
ABSENT: None.

Approved by me this 19<sup>th</sup> day of May, 2003.

*Roger W Ahrens*  
ROGER AHRENS, President

Published in pamphlet form this 28<sup>th</sup> day of May, 2003, under the authority of the President and Board of Trustees.

**ATTEST:**

*Jane E. Theis*  
JANE THEIS, Village Clerk

Recorded in the Village Records on May 28<sup>th</sup>, 2003.

