

ORDINANCE NUMBER 08 - 22

ORDINANCE APPROVING TEXT AMENDMENT TO  
TITLE XV, LAND USAGE, CHAPTER 157, ZONING,  
SECTION 157.050(M)(1)(b), GENERAL REQUIREMENTS, AND  
157.050(M)(5)(b), GENERAL REQUIREMENTS

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, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, Chapter 156.050(B)(3) held a hearing on April 14, 2008, on proposed amendments to the Zoning Code Section 157.050(M)(1)(b) and 157.050(M)(5)(b) revising the review procedures; and

WHEREAS, pursuant to said hearing, the Commission approved the petition and adopted Findings of Fact concerning the application of standards for this subject property by a vote of 7 ayes, 0 nays, and 2 absent; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee the Village requests a text amendment to be granted for the Zoning Code Section, 157.050(M)(1)(b), General Requirements, and 157.050(M)(5)(b), General Requirements.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That Title XV, Land Usage, Chapter 157, Zoning, of the Village of East Dundee Code of Ordinances is hereby amended by amending Section 157.050(M)(1)(b) as follows:

**Section 157.050. GENERAL REQUIREMENTS**

(M) *Site plan Review*

...

(1)(b) This section shall not apply to building additions, minor interior modifications, such as tenant spaces in shopping centers and office spaces, which do not effect the intensity of use, type of use or free standing signage and shall not apply to the B-1, downtown business, district to the extent the setback and yard requirements render this section inapplicable.

**Section Two.** That Title XV, Land Usage, Chapter 157, Zoning, of the Village of East Dundee Code of Ordinances is hereby amended by amending Section 157.050(M)(5)(b) as follows:

**Section 157.050. GENERAL REQUIREMENTS**

(M) *Site plan Review*

...

(5)(b) The site plan along with the recommendation shall then be forwarded to the Plan Commission for review and approval.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity 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 2<sup>nd</sup> day of June, 2008, pursuant to a roll call vote as follows:

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

NAYES: \_\_\_\_\_

ABSENT: Cichowski

PRESENT: Gorman

Approved by me this 2<sup>nd</sup> day of June, 2008.

Daniel O'Leary  
Daniel O'Leary, President

Published in pamphlet form this 3<sup>rd</sup> day of June, 2008, under the authority of the President and Board of Trustees.

ATTEST:

*Sue Norton*

SUE NORTON, Village Clerk

Recorded in the Village Records on June 3, 2008.

