

ORDINANCE NUMBER 08 - 44

**ORDINANCE GRANTING REQUEST FOR RE-ZONING FROM
M-1, LIMITED MANUFACTURING DISTRICT, TO
B-1, DOWNTOWN BUSINESS DISTRICT, FOR THE PROPERTY
COMMONLY KNOWN AS 315 BARRINGTON AVE.,
VILLAGE OF 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 Daniel Scully ("Owner") under Petition No. P/Z 07-10-01 for re-zoning the tract presently in the M-1, Limited Manufacturing District, to B-1, Downtown Business District, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois; 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 156.05(B)(3) held a hearing on December 13, 2007, on Petition No. P/Z 07-10-01; and

WHEREAS, pursuant to said hearing, the Commission recommended approval of the request for re-zoning of the property commonly known as 315 Barrington Ave., Village of East Dundee, Illinois, 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 re-zoning of the tract presently in the M-1, Limited Manufacturing District, to B-1, Downtown Business District, for the property commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois under Petition No. 07-10-01 is hereby granted.

Section Three. That the following described real estate commonly known as 315 Barrington Ave., Village of East Dundee, State of Illinois, is hereby re-zoned from M-1, Limited Manufacturing District, to B-1, Downtown Business District:

Lots 1, 2, and 3 (except the West 1/3 thereof) all in Block 4 of Edward's Addition to Dundee, and also that part described as follows: That part of the Westerly 20.0 feet of said Lots 1, 2, & 3, described as follows: Commencing at the Southwest corner of said Lot 1; thence Easterly along the Southerly line of said Lot 1, a distance of 20.0 feet for the point of beginning; thence Northerly along the Easterly line of said Westerly 20.0 feet of Lots 1, 2, & 3, a distance of 75.384 feet to the North line of said Lot 3; thence Westerly along said North line of Lot 3, a distance of 1.90 feet; thence Southerly 75.354 feet to the South line of said Lot 1 to a point 2.65 feet Westerly of the point of beginning; thence Easterly along said South line of Lot 1, a distance of 2.65 feet to the point of beginning, in the Village of East Dundee, Kane County, Illinois.

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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Six. 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 4th day of Aug, 2008, pursuant to a roll call vote as follows:

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

NAYES: _____

ABSENT: Ruffalo, Gorman

Approved by me this 4th day of Aug, 2008.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 6th day of Aug, 2008, under the authority of the President and Board of Trustees.

ATTEST:



SUSAN NORTON, Village Clerk

Recorded in the Village Records on Aug 6, 2008.

