

ORDINANCE NUMBER 13 - 17

**ORDINANCE APPROVING A VARIATION FOR THE
PROPERTY COMMONLY KNOWN AS
RIVER HAVEN OF EAST DUNDEE SUBDIVISION AT
ROUTE 25 NORTH OF ROUTE 72, 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 the Village of East Dundee requesting a variance from Section 157.241(J) to reduce the required open space from 2.29 acres, as required, to 1.46 acres, for the property commonly known as River Haven of East Dundee at the southeast corner of Route 25 and Route 68, East Dundee, Illinois; 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 156.05(B)(3) held a hearing on April 25, 2013; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 7 ayes, 0 nays and 2 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. The foregoing WHEREAS clauses are hereby incorporated as if fully set forth herein.

Section Two. That the recommendation of the Commission is hereby approved and adopted.

Section Three. That the application for a variance from Section 157.241(J) to reduce the required open space from 2.29 acres to 1.46 acres for the property commonly known as River Haven

of East Dundee at the southeast corner of Route 25 and Route 68, East Dundee, Illinois is hereby granted consistent with the application for variance.

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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 6 day of May, 2013, pursuant to a roll call vote as follows:

AYES:

Trustees Lynam, Skillicorn, Miller, Van Ostenbridge and
NAYES: Ø President Bartels

ABSENT:

Trustees Ruffulo and Gorman

Approved by me this 6 day of May, 2013.

Jerald Bartels
Jerald Bartels, President

Published in pamphlet form this 7 day of May, 2013, under the authority of the President and Board of Trustees.

ATTEST:

Heather Maiéritsch
Heather Maiéritsch, Village Clerk

Recorded in the Village Records on May 7, 2013.