

ORDINANCE NUMBER 07 - 42

ORDINANCE GRANTING REQUEST FOR RE-ZONING FROM R-1, SINGLE-FAMILY RESIDENCE DISTRICT, AND M-1, LIMITED MANUFACTURING DISTRICT, TO R-3, SINGLE-FAMILY RESIDENCE DISTRICT, FOR THE PROPERTY COMMONLY LOCATED AT VAN BUREN AND THE CORPORATE LIMITS OF THE VILLAGE OF EAST DUNDEE, 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 Larry Brelsford ("Owner") under Petition No. P/Z 07-07-01 for re-zoning the tract presently in the R-1, Single-Family Residence District, and M-1, Limited Manufacturing District, to R-3, Single-Family Residence District, for the property commonly located at Van Buren and the Corporate Limits of the Village of East Dundee, 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 August 9, 2007, on Petition No. P/Z 07-07-01; and

WHEREAS, pursuant to said hearing, the Commission recommended approval of the request for re-zoning of the property commonly known as 311 East Main Street, Village of East Dundee, Illinois, by a vote of 7 ayes, 0 nays, and 0 absent, and adopted specific Findings of Fact concerning the application of standards for the subject property, a copy of these Findings of Fact are attached hereto as Exhibit "A" and incorporated by reference as if fully set forth herein.

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 and the Findings of Fact adopted by the Commission are hereby approved and adopted.

Section Two. That the application for re-zoning of the tract presently in the R-1, Single-Family Residence District, and M-1, Limited Manufacturing District, to R-3, Single-Family Residence District, for the property commonly located at Van Buren and the Corporate Limits of the Village of East Dundee, Village of East Dundee, State of Illinois under Petition No. 07-07-01 is hereby granted.

Section Three. That the following described real estate commonly located at Van Buren and the Corporate Limits of the Village of East Dundee, Village of East Dundee, State of Illinois, is hereby re-zoned from R-1, Single-Family Residence District, and M-1, Limited Manufacturing District, to R-3, Single-Family Residence District:

That part of the Northeast Quarter of Section 23, Township 42 North, Range 8 East, of the third principal meridian described as follows: commencing at the Northwest corner of said section 23; thence South along the West line of said section, 756.14 feet to the South line of Cleveland Avenue, as shown of plat of Lakewood Lodge Estates; thence East along the South line of Cleveland Avenue 1254.73 feet to the West line of Wilmette Avenue, as shown on aforesaid plat; thence Southerly along the West line of said Wilmette Avenue to the point of intersection of said west line with the Westerly line of Van Buren Street as shown on said plat; thence Southerly along the Westerly line of Van Buren Street to the Northerly line of corporate limits of the Village of East Dundee as located on July 1, 1953 to the point of beginning; thence Southerly along the Westerly line of Van Buren Street to the Northeast corner of Estate 5 in Block 20 of Lakewood Lodge Estates aforesaid; thence westerly along the Northeasterly line of said Lot 5, 140.56 Feet to the Northwest corner of said lot; thence Northerly along the Westerly line of said Lot 5 extended Northerly 173.89 feet; thence Westerly along a line making an angle of 92 degrees 03 minutes measured from South to West, with the last described line, 244.1 feet to the Easterly line of the abandoned right of way line of Chicago, and Northwestern Railroad Company; thence Northerly along Easterly right of way line to the Northeasterly line of the corporate limits of the Village of East Dundee as located on July 1, 1953; thence East along the Northerly line of aforesaid corporate limits 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.

