

ORDINANCE NUMBER 05 - 23

ORDINANCE TO AMEND TITLE XV, LAND USAGE, CHAPTER 157, ZONING, TO RE-ZONE THE PROPERTY COMMONLY KNOWN AS 310 JACKSON, EAST DUNDEE, ILLINOIS FROM "R-3" TO "B-1"

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 (herein after 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 September 8, 2005, on Petition No. P/Z 05-09-01 requesting the property commonly known as 310 Jackson, East Dundee, Illinois, be re-zoned from an R-3 Single Family Residence District to a B-1 Downtown Business District.

WHEREAS, pursuant to said hearing, the Commission approved the Petition and adopted specific Findings of Fact concerning the application of standards and for this subject property by a vote of 5 ayes, 0 nays, and 3 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 Findings of Fact of the Commission are hereby approved and adopted and that **Title XV, Land Usage, Chapter 157, Zoning**, is hereby amended to re-zone the following described real estate commonly known as 310 Jackson, East Dundee, Illinois from an R-3 Single Family Residence District to a B-1 Downtown Business District:

The westerly half of Lot 3 and the easterly 27 feet of Lot 4 in Block 5 in the Old Town of East Dundee, in the Village of East Dundee, Kane, County, 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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 17th day of October, 2005, pursuant to a roll call vote as follows:

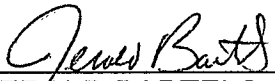
AYES: Ruffulo, VanOstenbridge, O'Leary, Gorman

NAYES: None

ABSENT: Carlini

Present, but not able to participate – only observe, pursuant to Court Order: Scarpelli, Jr

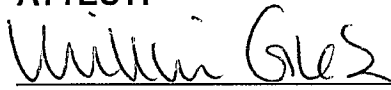
Approved by me this 17th day of October, 2005.



JERALD BARTELS, President

Published in pamphlet form this 7th day of November, 2005, under the authority of the President and Board of Trustees.

ATTEST:



NIKKI GILES, Village Clerk

Recorded in the Village Records on November 7th, 2005.

