

**ORDINANCE NUMBER 06 - 50**

**ORDINANCE APPROVING A PETITION FOR VARIATION IN THE REQUIRED FRONT YARD SETBACK AND APPROVING AN APPLICATION BY THE EAST DUNDEE AND COUNTRYSIDE FIRE PROTECTION DISTRICT AND ISSUING A SPECIAL USE PERMIT FOR AN OFF-STREET PARKING LOT ON PROPERTY COMMONLY KNOWN AS 17 RAILROAD STREET, 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 for under Petition No. P/Z 06-10-04 requesting a variation from Section 157.148 of the Village of East Dundee Code of Ordinances allowing parking in the required front yard set back for a tract presently in the R-3 zoning district commonly known as 17 Railroad Street, East Dundee, Illinois; and

**WHEREAS**, the aforementioned application made under Petition No. P/Z 06-10-04 also requests a special use to allow for a continuation of the Fire Protection District parking lot for a tract presently in the R-3 zoning district commonly known as 17 Railroad Street, 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 East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on October 26, 2006, on Petition No. P/Z 06-10-04, and pursuant to said hearing, the Commission recommended approval of Petition No. P/Z 06-10-04.

**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 application made under Petition No. P/Z 06-10-04 to allow a variation from Section 157.148 of the Village of East Dundee Code of Ordinances allowing parking in the required front yard set back for a tract presently in the R-3 zoning district commonly known as 17 Railroad Street, East Dundee, Illinois is hereby granted.

**Section Two.** That the application made under Petition No. P/Z 06-10-04 for a special use to allow for a continuation of the Fire Protection District parking lot for a tract presently in the R-3 zoning district commonly known as 17 Railroad Street, East Dundee, Illinois is hereby granted.

**Section Three. 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 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 6<sup>th</sup> day of NOV, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanOstenbridge, Scarpelli, O'Leary,  
Gorman, Carlini, Pres Bartels

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

ABSENT: \_\_\_\_\_

Approved by me this 6<sup>th</sup> day of NOV, 2006.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 8 day of NOV, 2006, under the authority of the President and Board of Trustees.

ATTEST: Susan Norton  
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Nov. 8, 2006.

