

ORDINANCE NUMBER 07 - 34

**ORDINANCE GRANTING A VARIATION
FOR THE PROPERTY COMMONLY KNOWN AS
100 CRABTREE ROAD, 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 Rudy Jagielski ("Applicant") under Petition No. P/Z 07-05-01 for a variance from the front yard set back from Section 157.031(6)(a) for 8 ft. where 35 ft. is required and a variance from a side yard set back from Section 157.031(6)(b) for 11 ft. where 20 ft. is required for a tract presently in the E, Estate Residence District; 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 May 10, 2007, on Petition No. P/Z 07-05-01; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 5 ayes, 0 nays, and 4 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 Findings of Fact adopted by the Commission are hereby approved and adopted.

Section Two. That the application for a variance from the front yard set back from Section 157.031(6)(a) for 8 ft. where 35 ft. is required and a variance from a side yard set back from Section 157.031(6)(b) for 11 ft. where 20 ft. is required for a tract presently in the E, Estate Residence District 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 4th day of June, 2007, pursuant to a roll call vote as follows:

AYES: Ruffalo, Gorman, Cichowski, Lynam,
Carlino, O'Leary

NAYES:

ABSENT:

Approved by me this 4th day of June, 2007.

Daniel O'Leary
Village President Dan O'Leary

Published in pamphlet form this 6th day of June, 2007, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on June 6, 2007.

