

ORDINANCE NUMBER 10 - 44

**ORDINANCE GRANTING A SPECIAL USE FOR THE
PROPERTY AT LOT 2 ON ROUTE 25 SOUTH OF
THORNTON OIL GAS STATION**

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 President and Board of Trustees of the Village of East Dundee have determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that the Petition, by Dan Gunsteen, requests of 157.052(D)(4) to allow a carwash in the B-2, Community Business District, be granted.

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, held a hearing on September 9, 2010; and

WHEREAS, pursuant to said hearing, the Commission approved the request for a special use for the property commonly known as Lot 2 on Route 25 South of Thornton Oil Gas Station, Village of East Dundee, Illinois, by a vote of 6 ayes, 2 nays, and 1 absent; and

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 a special use for the property commonly known as Lot 2 on Route 25 South of Thornton Oil Gas Station, Village of East Dundee, Illinois, is hereby granted to allow a carwash in the B-2, Community Business District.

Section Two. Approval subject to compliance of landscaping areas on north, west and south of the site per site plan and revised curb alignment and access per the Village Engineer's recommendation of September 13, 2010.

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 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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 20th day of September, 2010, pursuant to a roll call vote as follows:

AYES:

6 - Trustees Ruffalo, Gorman, Lynam, Miller, Cichowski & VanOstenbridge

NAYES:

ABSENT:

1 - President Bartels

Approved by me this 20th day of September, 2010.

Michael Ruffalo
JERALD BARTELS, President

President Pro Tem, Michael Ruffalo

Published in pamphlet form this 27th day of Sept., 2010, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on Sept. 27th, 2010.