

ORDINANCE NUMBER 07 - 43

**ORDINANCE APPROVING A VARIATION FOR THE
PROPERTY COMMONLY KNOWN AS
253 FALLBROOK COURT, 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 requesting a variation from Section 157.034(E)(c) of the rear yard set back from 30 feet to 17 feet for a tract presently in the R-2 zoning district under Petition No. P/Z 07-08-01, for the property commonly known as 253 Fallbrook Court, 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 Village of East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on September 13, 2007, on Petition No. P/Z 07-08-01; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 4 ayes, 2 nays, 1 abstain, 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 Findings of Fact adopted by the Commission are hereby approved and adopted.

presently in the R-2 zoning district, which is commonly known as 253 Fallbrook Court, 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 All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 15th day of Oct, 2007, pursuant to a roll call vote as follows:

AYES: Ruffalo, Gorman, Lynam, Cichowski,
Mahony, Pres. O'Leary

NAYES: _____

ABSENT: Carlini

Approved by me this 15th day of Oct, 2007.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 17th day of Oct, 2007, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Oct. 17, 2007.

