

ORDINANCE NUMBER 06 - 31

**ORDINANCE GRANTING RE-ZONING  
PERTAINING TO THE DEVELOPMENT LOCATED  
ON THE SOUTHEAST CORNER OF  
STATE ROUTE 25 AND STATE ROUTE 68,  
KANE COUNTY, 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**, a an application for re-zoning has been submitted by East Dundee Retail Partners LLP and Beucler Properties LP for re-zoning of the property located on the southeast corner of State Route 25 and State Route 68, Kane County, Illinois, from Kane County, F-1 Zoning District to B-2, Community Business 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 April 13, 2006, on Petition No. P/Z 06-04-03, and pursuant to said hearing, the Commission approved the Petition.

**WHEREAS**, the President and Board of Trustees of the Village of East Dundee has received the recommendation of the Commission and has considered same.

**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 re-zoning requested for the property generally located on the southeast corner of State Route 25 and State Route 68, Kane County, Illinois, to B-2, Community Business District is granted.

**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 Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 21<sup>st</sup> day of August, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, Van Ostenbridge, Scarpelli, Jr., O'Leary,  
Gorman, Carlini, President Bartels

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

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

Approved by me this 21<sup>st</sup> day of August, 2006.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 24<sup>th</sup> day of August, 2006, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton  
SUSAN NORTON, Village Clerk



Recorded in the Village Records on Aug 24, 2006.