

ORDINANCE 15-13

AN ORDINANCE GRANTING A VARIATION FROM THE WEST DUNDEE ZONING ORDINANCE PERTAINING TO THE REQUIRED NUMBER OF PARKING SPACES AND AUTHORIZING THE FIFTH RESUBDIVISION OF PROPERTY FORMALLY KNOWN AS THE OAKVIEW CORPORATE CENTER (COMMONLY KNOWN AS RESUBDIVISION NO. 5) IN THE VILLAGE OF WEST DUNDEE, ILLINOIS

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, The Village of West Dundee has been requested by a petition submitted by Opus Development for a variation from the West Dundee Zoning Ordinance to reduce the number of required parking spaces and to resubdivide the property into two separate lots of record; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on June 22, 2015, after due notice in the manner provided by law; and

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation, has made a report and recommended the granting of said zoning variation from the West Dundee Zoning Ordinance and recommended the regarding of said resubdivision; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing and presented to the West Dundee Planning and Zoning Commission by the petitioners.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That a variation from Section 10-9-1-8 of the West Dundee Municipal Code be and is hereby granted allowing a reduction in the required number of off-street parking spaces, and that the property commonly known as the Oakview Corporate Park, hereby resubdivides one existing lot of record to create two new lots of record pursuant to the proposed plat titled Oakview Corporate Park Resubdivision No. 5 prepared by Jacob & Heffner Associates revised May 11, 2015 on the following described parcel of property:

THAT PART OF LOT 1 IN OAKVIEW CORPORATE PARK RESUBDIVISION NO. 3, BEING A RESUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 5, 2012 AS DOCUMENT 2012K076828, DESCRIBED AS

FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE THE FOLLOWING 7 COURSES ALONG THE LIMITS OF SAID LOT 1: 1) SOUTH 01 DEGREES 09 MINUTES 11 SECONDS EAST, A DISTANCE OF 500.00 FEET; 2) THENCE SOUTH 88 DEGREES 50 MINUTES 54 SECONDS WEST, A DISTANCE OF 145.00 FEET; 3) THENCE SOUTH 01 DEGREES 09 MINUTES 11 SECONDS EAST, A DISTANCE OF 210.00 FEET TO A POINT OF CURVATURE; 4) THENCE SOUTHWESTERLY ALONG A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 80.00 FEET, AN ARC LENGTH OF 125.67 FEET TO A POINT OF TANGENCY; 5) THENCE SOUTH 88 DEGREES 50 MINUTES 54 SECONDS WEST, A DISTANCE OF 488.79 FEET TO A POINT ON A CURVE; 6) THENCE NORTHERLY ALONG A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 39.50 FEET, AN ARC LENGTH OF 13.61 FEET AND A CHORD THAT BEARS NORTH 06 DEGREES 19 MINUTES 48 SECONDS EAST, A DISTANCE OF 13.54 FEET TO A POINT OF REVERSE CURVATURE; 7) THENCE NORTHERLY ALONG A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 55.50 FEET, AN ARC LENGTH OF 70.59 FEET; THENCE NORTH 62 DEGREES 55 MINUTES 34 SECONDS EAST, A DISTANCE OF 79.93 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 10.00 FEET, AN ARC LENGTH OF 11.05 FEET TO A POINT OF TANGENCY; THENCE NORTH 00 DEGREES 25 MINUTES 14 SECONDS WEST, A DISTANCE OF 670.52 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE NORTH 88 DEGREES 50 MINUTES 54 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 647.50 FEET TO SAID POINT OF BEGINNING, IN THE TOWNSHIP OF DUNDEE, KANE COUNTY, ILLINOIS.

Section 2: That all requirements set forth in the Zoning Ordinance of the Village of West Dundee, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

Section 3: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of granting the variation for the Subject Property are hereby accepted and the variation is granted subject to the following conditions for approval:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application.
2. Approval of preliminary and final engineering.
3. Compliance with all other applicable codes and ordinances.

Section 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to

the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized) as provided by law.

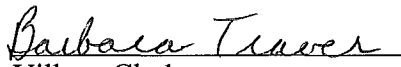
AYES: Trustees Pflanz, Wilbrandt, Kembitzky, Price and Yuscka

NAYS: None


ABSENT: Trustee Hanley

ATTEST:

Barbara Traver


Village Clerk

Christopher Nelson


Village President

Passed: July 13, 2015

Approved: July 13, 2015

Published: July 13, 2015

Prepared by:

Village of West Dundee

Community Development Department

100 Carrington Drive

West Dundee, IL 60118