

ORDINANCE 16-28

AN ORDINANCE MODIFYING THE SPECIAL USE FOR A PLANNED DEVELOPMENT FOR FIRST CONGREGATIONAL CHURCH, 900 SOUTH EIGHTH STREET, TO ALLOW CONSTRUCTION OF A COLUMBARIUM GARDEN

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 received a petition submitted by the First Congregational Church of Dundee requesting a modification of their existing Special Use for a Planned Development originally issued in 2005 in order to accommodate construction of a columbarium garden on their grounds; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on August 29, 2016, 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 modification to the Special Use for a Planned Development for First Congregational Church of Dundee; 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 petitioner.

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

Section 1: That the modification to the Special Use for a Planned Development to accommodate construction of a columbarium garden on church grounds is hereby approved for the property legally described as follows:

Part of the Southwest Quarter of Section 27, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows: Commencing at the Northwest corner of said Southwest Quarter; thence South 88 degrees 13 minutes 21 seconds East along said North line, said North line also being the North line of Fairhills at Canterfield Phase II, being a subdivision of part of the Southwest Quarter of Section 27 and the Northwest Quarter of Section 34, Township and Range aforesaid 1298.93 feet to the Northeast corner of the West Dundee Public Works property for the point of beginning; thence South 01 degree 46 minutes 05 seconds West 548.0 feet to the Southeast corner of said West Dundee Public Works property (said Southeast corner also being the Northeast corner of Fairhills at Canterfield Phase 1, being a subdivision of part of said Southwest Quarter of Section 27 and the Northwest Quarter of Section 34, Township 42 North, range 8 East of the Third Principal Meridian, according to the plat thereof recorded September 12, 1995 as Document No. 95K053597); and said point also being on the North right of way line of Angle Tarn; thence South 88 degrees 13 minutes 21 seconds East along said right of way line 597.29 feet to the Westerly right of way line of State Route 31; thence North 0 degrees 04 minutes 23 seconds East along said right of way line 443.62 feet to right of way disk marking a jog in said right of way; thence North 01 degrees 23 minutes 15 seconds East along said right of way, 104.57 feet to the North line of said Southwest Quarter of Section 27; thence North 88 degrees 13 minutes 21 seconds West along said right of way line 583.47 feet to the point of beginning, in Kane County, Illinois.

Section 2: That the approval granted in Section 1 of this Ordinance is conditioned on the following:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application;
2. Compliance with all other applicable Village codes and ordinances.
3. Limit of up to three (3) columbaria on site as shown in submitted plans.
4. Installation of year-round screening of the columbarium garden from adjoining or neighboring commercial properties including but not necessarily limited to 770 Beacon Street.

Section 3: That the findings of fact of the Planning and Zoning Commission on the issuance of the special use permit and granting of the zoning variation are hereby accepted.

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.

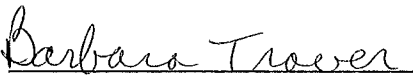
Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

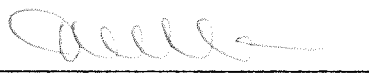
Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 26th day of September, 2016.

AYES: Trustees Price, Hanley, Yuscka, Wilbrandt and Kembitzky
NAYS: None
ABSENT: Trustee Pflanz

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: September 26, 2016
Approved: September 26, 2016

Prepared by:
Village of West Dundee
Community Development Department
100 Carrington Drive
West Dundee, IL 60118