

ORDINANCE 20-06

AN ORDINANCE APPROVING A ZONING VARIATION FOR DRIVEWAY CURB CUT WIDTH AND A FINAL PLAT OF SUBDIVISION FOR A 126-UNIT SENIOR HOUSING DEVELOPMENT KNOWN AS WESTBROOK AT CANTERFIELD AT THE SOUTHWEST CORNER OF ANGLE TARN AND ILLINOIS ROUTE 31

WHEREAS, The Village of West Dundee, Kane County, Illinois (the "*Village*") is a duly organized and validly existing home-rule municipality pursuant to Article VII, Section 6(a) 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 received a petition from Nelson Construction and Development and HLC Partners, requesting a Zoning Variation for Driveway and Curb Cut Width and seeking approval of a Final Plat of Subdivision for the purpose of constructing a 126-unit senior housing development; and

WHEREAS, the subject site is legally described as:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUNDEE TOWNSHIP, KANE COUNTY, ILLINOIS; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on January 27, 2020 after due notice in the manner provided by law; and

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation, has prepared Findings of Fact and recommended the granting of variation and approval of the Final Plat of Subdivision; and

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

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

Section 1: That a Zoning Variation for driveway curb cut width from the permitted width of twenty-four (24) feet to seventy (70) feet is hereby approved.

Section 2: That the Final Plat of Subdivision is hereby approved.

Section 3: 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 4: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of approving a zoning variation for driveway curb cut width and a final subdivision plat for the Subject Property are hereby accepted and the requests are granted subject to the following conditions for approval:

1. Compliance with documents submitted with the Planning and Zoning Application;
2. Compliance with final engineering plans as approved by the Village Engineer;
3. Compliance with all other applicable Village codes and ordinances; and,

Section 5: 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.

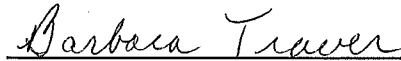
Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7: 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 16th day of March, 2020.

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

ATTEST:



Barbara Traver
Village Clerk



Christopher Nelson
Village President

Passed: March 16, 2020
Approved: March 16, 2020
Published: March 16, 2020

Prepared by:
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