

ORDINANCE 2022-36

AN ORDINANCE AMENDING TITLE 10 - ZONING REGULATIONS OF THE MUNICIPAL CODE, ADDRESSING SPECIAL USES WITHIN RE-1 RESIDENTIAL-ESTATE DWELLING DISTRICT

(Bed and Breakfast and Short Term Rental)

WHEREAS, The Village of West Dundee, Kane County, Illinois (the "Village"), is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") have contemplated the addition of special uses within RE-1 Residential-Estate Dwelling District, and have considered certain changes to the West Dundee Municipal Code to define "bed and breakfast establishment" and amend the definition of "short term rental" within Title 10 – Zoning Regulations and to designate "bed and breakfast establishment" and "short term rental" each as a special use within the RE-1; and,

WHEREAS, the West Dundee Planning and Zoning Commission considered the subject of special uses within RE-1 via public hearing on August 22, 2022, pursuant to required public notice, to solicit public input regarding certain changes to the West Dundee Zoning Regulations; and,

WHEREAS, after additional consideration on October 24, 2022, the Planning and Zoning Commission recommended to the Corporate Authorities that said changes to the West Dundee Zoning Regulations be made; and,

WHEREAS, the Corporate Authorities have carefully considered the recommendations of the Planning and Zoning Commission as well as the information presented and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore would be in the best interest of the Village.

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: Title 10 - Zoning Regulations, Chapter 2, Section 1 – Definitions (10-2-1) of the West Dundee Municipal Code is hereby amended as follows:

BED AND BREAKFAST ESTABLISHMENT: An owner occupied residence providing accommodations for a charge to the public which residence has no more than ten (10) guest units for rent and is in operation for more than ten (10) nights in a twelve (12) month period. Only the breakfast meal may be provided to the registered guests. The service of food to the public for a charge is otherwise prohibited. Bed and breakfast establishments shall not include motels, hotels, boarding houses, or food service establishments.

SHORT TERM RENTAL: Use of an entire dwelling unit located within ~~the~~ a primary structure within the ~~B-1 Downtown Business District~~ for residential purposes for a period of thirty (30) consecutive days or less.

SECTION 2: That Title 10 - Zoning Regulations, Chapter 4 – Residential Districts, Article A – RE-1 Residential-Estate Dwelling District (10-4A) of the West Dundee Municipal Code shall be amended to add the following section:

10-4A-2: SPECIAL USES:

Bed and Breakfast Establishments on properties that are three (3) acres in size or more, provided that the operator is registered with the Village.

Short Term Rentals on properties that are three (3) acres in size or more, provided that the operator is registered with the Village.

SECTION 9: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 10: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publications is hereby authorized as provided by law.

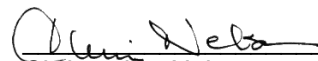
PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 7th day of November, 2022.

AYES: Trustees Price, Haley, Alopogianis, Anderley and Wilbrandt
NAYES: None
ABSENT: Trustee Yuscka

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

PASSED:
PUBLISHED:

Prepared by:
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Economic Development Department
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