

ORDINANCE 2021-23

AN ORDINANCE ISSUING A SPECIAL USE PERMIT TO ALLOW A RESTAURANT WHERE ALCOHOLIC LIQUOR IS SERVED IN AN OUTDOOR AREA IN CONJUNCTION WITH FOOD SERVICE FOR THE PROPERTY COMMONLY KNOWN AS 1959 HUNTLEY ROAD (CHUNKY DOG BAR & GRILL)

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, a petition signed by Kastriot Veseli has been filed with the Village Clerk requesting that a special use permit to allow outdoor dining with alcohol service associated with the existing restaurant, and;

WHEREAS, the special use for outdoor dining with alcohol service is being requested for the property legally defined as follows:

LOT 1 IN THE RESUBDIVISION OF LOT 1 IN HILL SUBDIVISION UNIT 2, A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORING TO THE PLAT THEREOF RECORDED JULY 11, 2003 AS DOCUMENT NO. 2003K114043, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS.

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on July 26, 2021 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 the petitioner's request; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence 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 special use for outdoor dining with alcohol service associated with the existing restaurant use is hereby granted;

Section 2 : The Special Use granted in Section 1 of this Ordinance is conditioned on the following:

1. Compliance with documents as submitted with the Planning and Zoning application;
2. Compliance with all other applicable codes and ordinances; and,
3. Addition of Required Class E Liquor License (Outdoor Area)

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

Section 4: 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 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 and approval, 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 August, 2021.

AYES: Trustees Price, Yuscka, Haley, Alopogianis, Anderley and Wilbrandt
NAYS: None
ABSENT: None
ABSTAIN: None



Christopher Nelson
Village President

ATTEST:



Kim Tibbetts
Deputy Village Clerk

Passed: August 16, 2021
Approved: August 20, 2021
Published: August 20, 2021

Prepared by:
Village of West Dundee
Community Development Department
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