

RESOLUTION 2019-07

A RESOLUTION OF THE VILLAGE OF WEST DUNDEE, ILLINOIS, EXPRESSING PRELIMINARY APPROVAL SUBJECT TO AN ANNEXATION AGREEMENT OF THE REZONING FROM KANE COUNTY FARMING TO THE VILLAGE'S SDD SPECIAL DEVELOPMENT DISTRICT AND GRANTING VARIATIONS FROM THE MINIMUM DEVELOPMENT PARCEL AREA OF THE APPLICABLE LAND USE AREAS OF THE SDD SPECIAL DEVELOPMENT DISTRICT

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 Resolution 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 an application filed by the Heuser family, (the "Owner"), to consider upon annexation of the territory: (1) rezoning from Kane County Farming to the Village's SDD Special Development District (rather than RE-1 Residential Estate Dwelling District) and (2) variations from the minimum development parcel area standard of the applicable land use areas of the SDD Special Development District (office park, light industrial, single-family, and multi-family); and,

WHEREAS, the approximately 13-acre territory (the "Subject Property") is legally described as:

THAT PART OF THE NORTHEAST 1/4, SECTION 19, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 5 IN THE FIRST ADDITION TO COUNTRY VIEW HIGHLANDS SUBDIVISION, RECORDED JULY 30, 1956 PER DOCUMENT 813223; THENCE NORTH 01 DEGREES 19 MINUTES 06 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF SAID LOT 5, A DISTANCE OF 237.43 FEET TO A LINE PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 88 DEGREES 59 MINUTES 26 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 711.26 FEET TO A LINE PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 14 MINUTES 50 SECONDS EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 807.68 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF HIGGINS ROAD/IL ROUTE 72 AS DEDICATED PER DOCUMENT 339017; THENCE NORTH 89 DEGREES 35 MINUTES 11 SECONDS EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 151.04 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE AS WIDENED PER CONDEMNATION CASE 2011 ED 37; THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING 4 COURSES: 1) THENCE NORTH 00 DEGREES 25 MINUTES 43 SECONDS WEST, A DISTANCE OF 9.73 FEET; 2) THENCE NORTH 89 DEGREES 34 MINUTES 17 SECONDS EAST, A DISTANCE OF 350.02 FEET; 3) THENCE NORTH 00 DEGREES 25 MINUTES 43 SECONDS WEST, A DISTANCE OF 10.00 FEET; 4) THENCE NORTH 89 DEGREES 34 MINUTES 17 SECONDS EAST, A DISTANCE OF 224.50 FEET TO THE WEST LINE OF COUNTRY VIEW HIGHLANDS SUBDIVISION, RECORDED JANUARY 24, 1956 PER DOCUMENT 799543; THENCE NORTH 01 DEGREES 19 MINUTES 06 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 532.80 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS; and,

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on May 20, 2019 after due notice in the manner provided by law; and,

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation of the Developer's application, has made findings of fact and a unanimous recommendation of approval that the granting of said rezoning and variations from the minimum development parcel standard of the SDD Special Development District for the Subject Property meets the requirements of the West Dundee Municipal Code; and,

WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") have considered the recommendations and findings of fact of the West Dundee Planning and Zoning Commission.

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

Section 1: That the Corporate Authorities hereby express its preliminary approval subject to the terms of an annexation agreement agreed to between the Owner and the Village for the annexation of the Subject Property into the Village and its rezoning from Kane County Farming to SDD Special Development District.

Section 2: That the Corporate Authorities hereby also express its preliminary approval of variations from the minimum development parcel area of the office park, light industrial, single-family, and multi-family land use areas of the SDD Special Development District.

Section 2: That the Developer is advised to work with the Village staff to develop an annexation agreement for the annexation and zoning of the Subject Property for review and consideration by the Corporate Authorities.


Section 3: This Resolution shall be in full force and effect upon its passage and approval according to law.


Passed this 3rd day of June, 2019.

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

Approved this 3rd day of June, 2019.

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President