

ORDINANCE 13-15

AN ORDINANCE ISSUING A SPECIAL USE PERMIT TO ALLOW EDUCATIONAL SERVICES ON OR BELOW THE FIRST FLOOR FOR THE PROPERTY COMMONLY KNOWN AS 180 S. EIGHTH STREET (HAMILTON ACADEMY)

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, a petition, signed by Daniel J. Roberts, has been filed with the Village Clerk requesting a special use permit to establish educational services on or below the first floor, and;

WHEREAS, the special use educational services on or below the first floor is being requested for the property legally defined as follows:

THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 WITH THE CENTER LINE OF STATE ROUTE 31; THENCE NORTHERLY ALONG SAID CENTER LINE 336.54 FEET TO THE NORTH LINE OF ROYAL ACRES, BEING A SUBDIVISION OF PART OF SAID EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, FOR THE POINT OF BEGINNING: THENCE WESTERLY ALONG SAID NORTH LINE 243.35 FEET THENCE NORTHERLY PARALLEL WITH THE CENTER LINE OF STATE ROUTE 31, 246.73 FEET TO A LINE THAT IS 245.26 FEET SOUTHERLY OF, AS MEASURED ALONG SAID PARALLEL LINE EXTENDED NORTHERLY, AND PARALLEL WITH THE CENTER LINE OF STATE ROUTE 72; THENCE SOUTHEASTERLY ALONG SAID PARALLEL LINE 245.26 FEET TO THE CENTER LINE OF STATE ROUTE 31; THENCE SOUTHERLY ALONG SAID CENTER LINE 212.80 FEET TO THE POINT OF BEGINNING, 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 29, 2013 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 educational services on or below the first floor is hereby granted;

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

1. Compliance with the applicant's statement, site and floor plans submitted with the application.
2. Approval of exterior signage by Appearance Review Commission.
3. Compliance with all other applicable codes and ordinances.

Section 3: That the findings of fact of the Planning and Zoning Commission on the issuance of the special use permit are 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 19th day of August, 2013.

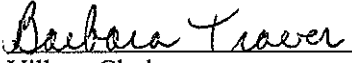
AYES:	Trustees Pflanz, Wilbrandt, Kembitzky, Price, Hanley and Yuscka
NAYS:	None
ABSENT:	None
ABSTAIN:	None



Christopher Nelson, Village President

ATTEST:

Barbara Traver



Village Clerk

Passed: 8-19-13
Approved: 8-19-13
Published: 8-20-13

Prepared by:
Village of West Dundee
102 South Second Street
West Dundee, IL 60118