

ORDINANCE No. 2019-17

**AN ORDINANCE ISSUING A SPECIAL USE PERMIT TO OPERATE
A CHILDREN'S PARTY SERVICE AT 411 WEST MAIN STREET**

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 of West Dundee has received a petition from Ms. Rebecca Brewer, sole proprietor of My Secret Garden, requesting a special use permit to operate a children's party service at 411 West Main Street; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on July 22, 2019, 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 granting of the petitioner's requests; and

WHEREAS, the Village Board has considered the recommendation of the West Dundee Planning and Zoning Commission based upon the findings of fact resulting from the evidence presented at the public hearing.

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 be and is hereby granted to Ms. Rebecca Brewer permitting operation of the "My Secret Garden" children's party service on the following described parcel of property:

Lot 3 and the East Half of Lot 4 in Block 5 of the Plat of Dundee, in the Village of West Dundee, Kane County, Illinois.

Said property is commonly described as: 411 West Main Street, West Dundee, IL 60118.

Section 2: 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 3: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of granting the requested approvals for the Subject Property are hereby accepted and the approvals are granted subject to the following conditions for approval:

1. Compliance with documents as submitted with the Planning and Zoning Application; and,
2. Compliance with all other applicable Village codes and ordinances.

Section 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


Section 6: 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 5th day of August, 2019.

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

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: August 5, 2019
Approved: August 5, 2019
Published: August 5, 2019

Prepared by:
Village of West Dundee
Community Development Department
100 Carrington Drive
West Dundee, IL 60118