

ORDINANCE 2022-01

**AN ORDINANCE ISSUING A SPECIAL USE PERMIT TO ALLOW
AUTOMOTVE SALES (DEALERSHIP/OUTDOOR SALES LOT)
AT 741 SOUTH EIGHTH STREET (CENTURY PLAZA)**

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 Mr. Gary Cortese of Elgin Motors, LLC, requesting a special use to permit automotive sales (dealership/outdoor sales lot) at 741 South Eighth Street; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on December 20, 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 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 Mr. Gary Cortese permitting automotive sales 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: Century Plaza, South Eighth 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;
2. Compliance with all other applicable Village codes and ordinances; and,
3. Compliance with restrictions that: (a) vehicle inventory in the outdoor sales lot shall be

limited to no more than 10 vehicles and displayed in a prescribed area (as shown in Exhibit A attached hereto); (b) no additional signage be displayed (beyond that which is permitted by code); (c) no attention-getting devices (feather flags, streamers, inflatables, etc.) shall be employed per code; and, (d) no service of vehicles of any kind shall be performed.

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.

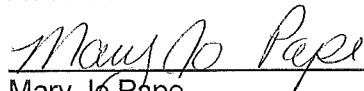
Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 3rd day of January, 2022.

AYES: Trustee Price, Haley, Alopogianis, Anderley, Wilbrandt and Yuscka

NAYS: None

ATTEST:



Mary Jo Pape
Village Clerk



Christopher Nelson
Village President

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