

ORDINANCE 2018-35

**ORDINANCE OF THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS
APPROVING AN AMENDMENT TO TITLE 10 OF THE WEST DUNDEE MUNICIPAL
CODE ADDRESSING RESIDENTIAL USE IN THE OFFICE 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 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, West Dundee's Municipal Code in its current form does not specifically address residential as a use in the Office (O) Zoning District; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on October 22, 2018, after due notice in the manner provided by law; and

WHEREAS, the Village intends to amend its Zoning Code and Municipal Code in order to list residential dwelling units above the first floor only as a permitted use within the Office (O) Zoning District.

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

Section 1: That the Title 10, Chapter 5, Section 10-5-E2, Permitted Uses, is hereby amended to add:

“Residential dwelling units above first floor only”

Section 2: 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Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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.

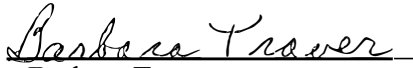
PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 12th day of November, 2018.

AYES: Trustees Price, Hanley, Yuscka, Anderley, Wilbrandt and Kembitzky

NAYS: None

ABSENT: None

ATTEST:



Barbara Traver
Village Clerk



Christopher Nelson
Village President

Passed: November 12, 2018
Approved: November 12, 2018
Published: November 12, 2018

Prepared by:
Village of West Dundee
Community Development Department
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