

ORDINANCE 2014-13

AN ORDINANCE AMENDING THE WEST DUNDEE
ZONING REGULATIONS FOR CONDUCT OF BUSINESS AND THE
PERMITTED USE LISTS WITHIN THE BUSINESS DISTRICTS

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, the Village President and Board of Trustees have contemplated the issue of second hand or used merchandise, retail sales and considered certain changes to the West Dundee Municipal Code to amend the conduct of business regulations, to specifically define types of users in the second hand or used merchandise category and to place each as defined as permitted and special uses in the B-1, B-2 and B-3 Business District.

WHEREAS, the a public hearing has been held by the West Dundee Planning and Zoning Commission on March 24, 2014 and on April 28, 2014 pursuant to public notice to solicit public input regarding certain changes to the West Dundee Zoning Regulations; and

WHEREAS, after careful consideration of the information and testimony presented, the Planning and Zoning Commission recommended to the West Dundee Village Board that said changes to the West Dundee Zoning Regulations be made; and

WHEREAS, the President and Board of Trustees have carefully considered the recommendations of the Planning and Zoning Commission as well as the information presented and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore would be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That Section 10-5-1B of the West Dundee Zoning Regulations which reads:

Merchandise Sold: Goods sold shall consist primarily of new merchandise, and any goods produced on the premises shall be sold at retails on the premises unless otherwise permitted herein for specific uses.

shall be amended to strike the words, "shall consist primarily of new merchandise".

SECTION 2: That Section 10-5B-2 of the West Dundee Zoning Regulations shall be amended to add the following permitted uses to the B1 Downtown Business District:

Antique and Consignment Stores

SECTION 3: That Section 10-5-B-2 of the West Dundee Zoning Regulations shall be amended to add the following permitted uses to the B3 Business Service District:

Antique, consignment and second hand merchandise stores in spaces with 5000 square feet or less and not within 750' of another similar merchant:

SECTION 4: That Section 10-5D-3 of the West Dundee Zoning Regulations shall be amended to add the following special uses to the B3 Business Service District:

Antique, consignment and second hand merchandise stores if larger then 5001 square feet and if within 750' of another similar user.

Pawn Stores

SECTION 5: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 6: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publications 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 May, 2014.

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

NAYS: None

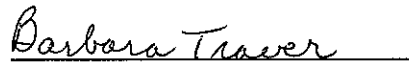
ABSENT: None

Christopher Nelson



Village President

ATTEST:
Barbara Traver


Village Clerk

PASSED: May 5, 2014

PUBLISHED: May 5, 2014

Prepared by:

Village of West Dundee
100 Carrington
West Dundee, IL 60118