

State of Illinois )  
County of Kane & Cook ) SS  
Village of East Dundee )

### NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning & Historic Commission of the Village of East Dundee will hold a public hearing on August 4, 2022, at 6:00 P.M. at the Police Station 2<sup>nd</sup> floor meeting room, 115 E. 3<sup>rd</sup> Street, East Dundee, IL 60118.

A request for text amendments to Chapter 157 of the Village of East Dundee Zoning Ordinance to add the following to Section 157.223, *Amendments*:

**Section 157.223 of the Village Ordinance is amended as follows, with old text struck-through and new text underlined:**

- (A) Amendments may be proposed by the President and Board of Trustees, the Plan Commission, Zoning Board of Appeals, Village Administrator, any property owner or interested person or organization and shall be referred to as the applicant.
- (B) (1) ~~An application~~ The applicant shall provide a proposal for an amendment ~~shall be filed with the Village. Clerk on a form prescribed by the President and Board of Trustees.~~ The ~~application~~ proposal shall be accompanied by such plans or data, or both, as specified by the Plan Commission and shall include a statement, in writing, by the applicant and adequate evidence showing that the proposed amendment will conform to the standards set forth herein for amendments. ~~Copies of the application shall be forwarded by the Village Clerk to the Plan Commission with the request to hold a public hearing.~~
- (2) ~~The applicant~~ The Village at the applicant's expense shall give notices of the public hearing as follows:
- (a) To the persons to whom the current real estate tax bills are sent, if any, as shown on the record of the local real estate tax assessor of all lots lying within 250 feet of the property line of the lot for which the amendment is sought.
- (b) All notices shall be in writing and shall give the time, place and purpose of the hearing and shall be mailed not more than 30 days, nor less than 15 days, in advance of the hearing. The notice shall be sent by ~~certified~~ mail, properly addressed as shown on the Tax Assessor's rolls and with sufficient postage affixed thereon with return receipt requested. The applicant shall file a sworn affidavit with copies of the notices with the Village ~~Clerk~~ showing the names and addresses of all notices the applicant has sent. The affidavit shall be conclusive presumption of giving of the notices.
- (3) The Village at the applicant's expense ~~applicant at its own expense~~ shall cause a notice of time, place and propose of the hearing to be published in a newspaper of general circulation within the village not more than 30 days, nor less than 15 days, in advance of the hearing.
- (4) The Village at the applicant's expense ~~applicant~~ shall post and maintain on forms no smaller than 11 inches by 17 inches on a white background for a period of

not less than ten days prior to the hearing the notice thereof as furnished by the Village Clerk. The notice showing the time, place and purpose of the hearing shall be posted ~~an~~ on the property for which the amendment is sought as follows:

(a) On an unimproved lot: not more than 15 feet from the front lot line and not ~~less~~ less than four feet above and not ~~more~~ more than six feet above the ground and placed in a manner as to be unobscured from the street.

(b) On an improved lot: on the front entrance door of the improvement thereon or placed in a similar manner as for an unimproved lot.

(5) Supplemental or additional notices may be distributed, published or posted as the Plan Commission may, by rule, prescribe from time to time.

(C) Upon receipt ~~in proper form~~ of the application, or proposal, and statement referred to above, the Plan Commission shall hold at least one public hearing on the proposed amendment. However, the Plan Commission may continue from time to time the hearing without further notices being published.

(D) Within 45 days after the close of the hearings on a proposed text or zoning amendment, the Planning and Zoning Commission shall make written findings of fact, when required, and shall submit same, together with its recommendations to the President and Board of Trustees. When the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Planning and Zoning Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

(1) Existing uses of property within the general area of the property in question;

(2) The zoning classification of property within the general area of the property in question;

(3) The suitability of the property in question to the uses permitted under the existing zoning classification; and

(4) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

(E) (1) *Action by Plan Commission.*

(a) The Plan Commission shall not recommend the adoption of a proposed amendment until after it finds that the adoption of the amendment is in the public interest and is not solely for the interest of the applicant. The Plan Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any other zoning classification

(b) A concurring vote of a majority of those members present at the meeting with a minimum of four concurring votes shall be required to recommend granting or denying an application for an amendment.

(c) Report to the Village Board shall contain number present and names of those voting for or against the motion.

(2) *Action by the President and Board of Trustees.*

(a) The President and Board of Trustees, upon receiving the recommendations of the Plan Commission, may grant or deny any proposed amendment in accordance with applicable Illinois Statutes or may refer it back to the Plan Commission for further consideration.

(b) If an application for a proposed amendment is not acted upon finally by the President and Board of Trustees within six months of the date upon which the

application is received by the President and Board of Trustees, it shall be deemed to have been denied.

All interested persons will be given an opportunity to be heard. Any questions regarding this public hearing process may be directed to Franco Bottalico, Management Analyst, 120 Barrington Avenue, East Dundee, Illinois 60118, or via email at [FBottalico@eastdundee.net](mailto:FBottalico@eastdundee.net), or by phone at 847-426-2822.