

ORDINANCE NUMBER 12 - 15

**ORDINANCE APPROVING A VARIATION FOR THE
PROPERTY COMMONLY KNOWN AS
RIVER HAVEN OF EAST DUNDEE SUBDIVISION AT THE
NORTHWEST CORNER OF
ROUTE 72 AND 25, EAST DUNDEE, ILLINOIS**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, application has been made by James Bergman requesting a variance from Section 157.241(G) to permit more similarity of design between adjoining homes and homes on the same block and to permit garages to extend beyond the front walls of the living areas of the homes , for the property commonly known as River Haven of East Dundee at the northwest corner of Route 25 and Route 68, East Dundee, Illinois; the legal description of said property is hereby attached hereto as Exhibit A; and

WHEREAS, the Planning and Zoning Commission (hereinafter the "Commission") of the Village of East Dundee, pursuant to notice and pursuant to the Village of East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on March 8, 2012; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 7 ayes, 1 nays and 1 absent. A copy of the Findings of Fact approved by the Commission is hereby attached hereto as Exhibit A

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the recommendation of the Commission is hereby approved and adopted.

Section Two. That the application for a variance from Section 157.241(G) to permit a higher level of similarity between front elevations within the subdivision and to allow garages to extend in front of the main living area of each home for the property commonly known as River Haven of East Dundee at the northwest corner of Route 25 and Route 72, East Dundee, Illinois is hereby granted consistent with the lot elevation plans and color pallets submitted to the Commission at the public hearing on March 8, 2012 as set forth in the Findings of Fact attached hereto as Exhibit B.

Section Three. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 12th day of March, 2012, pursuant to a roll call vote as follows:

AYES: 6 - Trustees Ruffalo, Gorman, Lynam, Miller, VanOstenbridge
NAYES: 0 & President Bartels

ABSENT: 1 - Trustee Skillicorn

Approved by me this 12th day of March, 2012.

Paul VanOstenbridge
~~Jerald Bartels, President~~
Paul VanOstenbridge, President Pro Tem

Published in pamphlet form this 13th day of March, 2012, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
Jennifer Rehberg, Village Clerk

Recorded in the Village Records on March 13th, 2012.

