

**ORDINANCE NUMBER 12- 25**

**ORDINANCE APPROVING A VARIANCE FROM TITLE XV: LAND USAGE, CHAPTER 156, SIGNS, SECTION 156.04(E)(2)(d)(1) FOR THE PROPERTY COMMONLY KNOWN AS J.D. BYRIDER PROPERTY AT 750 DUNDEE AVENUE, 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 J.D. Byrider, under Petition No. P/Z 00-00-00 requesting a variance from Title XV: Land Usage, Chapter 156, Signs, Section 156.04 (E)(2)(d)(1) to allow for 138 square feet of signage per side on the pole sign for the property known as the J.D. Byrider property located at or near 750 East Dundee Avenue, East Dundee, Illinois.

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 May 10, 2012, on Petition No. P/Z 00-00-00; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 9 ayes, 0 naves and 0 absent.

**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 156.04 (E)(2)(d)(1) to allow for 138 square feet for each side of the pole sign for the property known as the J.D. Byrider property

located at or near 750 East Dundee Avenue, East Dundee, Illinois, and legally described as set forth in attached Exhibit A.

**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 Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.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 21<sup>st</sup> day of May, 2012, pursuant to a roll call vote as follows:

AYES: 5 - Trustees Lynam, Miller, VanOstenbridge, Skillicorn

NAYES: 0 & President Bartels

ABSENT: 2 - Trustees Ruffalo & Gorman

Approved by me this 21<sup>st</sup> day of May, 2012.

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 24<sup>th</sup> day of May, 2012, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg  
JENNIFER REHBERG, Village Clerk

Recorded in the Village Records on May 24<sup>th</sup>, 2012.

