

ORDINANCE NUMBER 12 - 61

**ORDINANCE GRANTING A SPECIAL USE FOR
THE PROPERTY LOCATED AT 220 SOUTH 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 JAS Express Inc., as agent and purchaser for 220 Dundee Avenue(Route 25) under Petition No. P/Z _____ requesting a special use pursuant to 157.054(D)(21) & (22) to allow the establishment and operation of a freight transfer operation on property commonly known as 220 South Dundee Avenue (Route 25), Village of East Dundee, Illinois; 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 157.224 held a hearing on August 7, 2012 , on Petition No. P/Z _____; 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 Planning and Zoning Commission is hereby approved and adopted and incorporated herein.

Section Two. That a special use for the property commonly 220 South Dundee Avenue(Route 25), Village of East Dundee, Illinois, requested pursuant to Petition No. _____ is hereby granted to allow the establishment and operation of a freight transfer operation, subject to the following conditions: the freight transfer operation is limited to the hours of 6 a.m.-9 p.m. 7 days

a week, opaque perimeter fencing, and the retail building which fronts Route 25 be prohibited from freight transfer business and be a permitted B-4 use only, as set forth in the Findings of Fact and Recommendation of the Planning and Zoning Commission on August 7, 2012, for property commonly known as 220 South Dundee Avenue (Route 25), East Dundee, Illinois.

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 20th day of August, 2012, pursuant to a roll call vote as follows:

AYES: 7 - Trustees Raffulo, Gorman, Lynann, Miller, VanOstenbridge, Skillicorn & Pres. Bartels

NAYES: 0

ABSENT: 0

Approved by me this 20th day of August, 2012.

Jerald Bartels
Jerald Bartels, President

Published in pamphlet form this 26th day of August, 2012, under the authority of the President and Board of Trustees.

ATTEST:
Jennifer Rehberg
Jennifer Rehberg, Village Clerk

Recorded in the Village Records on Aug. 26th, 2012.

