

**ORDINANCE NUMBER 12 - 70**

**ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE  
LAND USE MAP OF THE VILLAGE OF EAST DUNDEE TO  
CHANGE THE DESIGNATION OF PROPERTY FROM  
INSTITUTIONAL TO GENERAL BUSINESS FOR THE PROPERTY  
LOCATED AT OR NEAR 611 EAST MAIN STREET 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**, Petitioner Jim Bergman has filed a request for a change in the Comprehensive Plan Future Land Use Map to designate Parcels 1 and 2 as General Business for the property located at 611 East Main Street, East Dundee, Illinois and commonly known as the Summit; and

**WHEREAS**, the applicant has submitted its request to the Village of East Dundee Planning and Zoning Commission requesting an amendment to the Comprehensive Plan Future Land Use Map to change the property from Institutional to General Business pursuant to P/Z No.12-08-01 ; and

**WHEREAS**, the property is legally described as follows:

Part of the East half of the southeast quarter of section 23, and part of the east half of the northeast quarter of section 20, all in township 42 north range 8 east of the 3<sup>rd</sup> principal meridian in the Village of East Dundee, Kane County, Illinois.

**WHEREAS**, the Planning and Zoning Commission held a public hearing on the above amendments to the Comprehensive Plan and Future Land use Plan on August 7, and has recommended approval of the amendments by a vote of 6 ayes, 3 nays, and 0 abstentions; said findings of fact are attached hereto as if fully set forth herein; and

WHEREAS, the President and Board of Trustees desire to amend the Comprehensive Plan Future Land Use Map to designate the property described above as General Business and amend the Comprehensive Plan Future Land Use Map as requested.

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

**Section One.** The above recitals are incorporated into this ordinance as if fully set forth herein.

**Section Two.** The amendment to the Comprehensive Plan Future Land Use Map is approved and the property legally described above is hereby designated as General Business. This is an amendment to the Village's Comprehensive Plan and supersedes the provisions of the prior Comprehensive Plan which was in effect prior to the adoption of this amendatory ordinance.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity 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.

**Section Six. Effective Date.** Passed on the 20<sup>th</sup> day of Aug., 2012, according to the following roll call vote.

AYES: 5 - Justices Gorman, Lynam, Miller, VanOstenbridge &

NAYES: 1 - Justice ~~Atto~~ Skillicorn President Bartels

ABSENT: 1 - Justice Ruffalo

Approved by me this 20<sup>th</sup> day of Aug., 2012.

Jerald Bartels  
Jerald Bartels, President

Published in pamphlet form this 26<sup>th</sup> day of Aug., 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. 26<sup>th</sup>, 2012.

