

ORDINANCE NUMBER 12- 83

ORDINANCE APPROVING VARIANCES FROM TITLE XV: LAND USAGE, CHAPTER 156: SIGNS, SECTIONS 156.04(C)(2)(b)(3) and 156.04(C)(2)(a) TO REMOVE THE 10 FOOT SETBACK REQUIREMENT FOR SIGNAGE AND ALLOW A SECOND MONUMENT DIRECTIONAL SIGN OFF JOHNSON AND RIVER STREETS FOR PROPERTY LOCATED AT 302 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, application has been made by _____, owner/principal of Made to Measure under Petition No. P/Z _____ requesting a variance from Section 156.04(C)(2)(b)(3) to allow for a monument sign just inside the property line, instead of a 10 foot setback required by ordinance on property commonly known as 302 East Main Street, East Dundee, Illinois; and

WHEREAS, application has been made by _____, owner/principal of Made to Measure under Petition No. P/Z _____ requesting a variance from Section 156.04(C)(2)(a) to allow for an additional monument directional sign at Johnson and River Street for 302 East Main Street, 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 156.05(B)(3) held a hearing on October 18, 2012, on Petition No. P/Z _____; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 6 ayes, 0 nays and 3 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 Findings of Fact and recommendation of the Commission is hereby approved and adopted.

Section Two. That the application for variances under Petition No. P/Z _____ from Section 156.04(C)(2)(b)(3) and 156.04(C)(2)(a) to allow monument signs to be located just inside the property line instead of the required 10 foot setback, and to allow for a second monument directional sign at Johnson and River Streets for property commonly known as 302 East Main Street, East Dundee, Illinois is hereby granted

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 5 day of November, 2012, pursuant to a roll call vote as follows:

AYES:
Trustees Lynam, Mullw, Skellicorn and President Bartels

NAYES:
Ø


ABSENT:
Trustees Ruffolo, Gorman and VanDusenbridge

Approved by me this 5 day of November, 2012.

Jerald Bartels
Jerald Bartels, President

Published in pamphlet form this 5 day of November, 2012, under the authority of the President and Board of Trustees.

ATTEST:



Jennifer Rehberg, Village Clerk
Heather Maierbach Deputy

Recorded in the Village Records on November 5, 2012.

VILLAGE OF EAST DUNDEE



FINDINGS OF FACT
(FACTS RELATED TO PETITION)

Petition: Made to Measure

Subject Property: 302 East Main Street, East Dundee, Illinois 60118.

Current Zoning Status: B-2

Current Use Status: Vacant

Requested Action: Requesting an a variance from section 156.04(C)(2)(b)(3) to remove the 10 foot setback requirement for signage and allow the monument signs to be just inside the property line and a variance from section 156.04(C)(2)(a) to allow for a second monument directional sign off of Johnson and River street.

Surrounding Land Use and Zoning: R-3, B-1 and B-2

Trend of Development In Area: Commercial Businesses

Findings: The request conforms to the Village's Comprehensive Plan and the zoning is consistent with the area.

Suitability of Present Zoning:

Yes

Conformance to the Land Use Plan:

Yes

Recommendation:

Based on the information contained in the application, the testimony and evidence presented at the public hearing, and the findings outlined herein, the Planning and Zoning Commission hereby recommends approval of the following by a vote of ___ ayes to ___ nay.

To approve the request for variances of **Section 156.04(C)(2)(b)(3) to allow for both monument signs to be less than 10 feet from the property line and a variance of section 156.04(C)(2)(a) to allow a second monument directional sign due to the challenging layout of the property** at the property commonly known as 302 East Main Street, East Dundee, Illinois 60118.

October 18, 2012

David Swanson

Chairman Swanson

[Signature] 10/18/12

Member

[Signature]

Member

[Signature]

Member

Susan J. Holliman

Member

Gwen Bernstein

Member

[Signature]

Member

Member

Member