

Ordinance No. 14-226

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE EAST DUNDEE ZONING CHAPTER OF THE CODE OF THE ORDINANCES OF THE VILLAGE OF EAST DUNDEE BY CLARIFYING THE REQUIREMENTS FOR FINDINGS OF FACT**

**WHEREAS**, the Village of East Dundee, Cook and Kane Counties, Illinois (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, pursuant to Section 157.223 of the East Dundee Zoning Chapter of the Code of the Village of East Dundee the Village filed an application to amend the text of the East Dundee Zoning Chapter to clarify when findings of fact are required; and,

**WHEREAS**, notice of a public hearing before the Planning and Zoning Commission on the amendment was duly published on August 4, 2014 in a newspaper of general circulation in the Village; and,

**WHEREAS**, the Planning and Zoning Commission convened and held a public hearing on the 21st day of August 2014, on the question of the application for a text amendment; and,

**WHEREAS**, the Corporate Authorities have reviewed the Planning and Zoning Commission's findings and recommendation and hereby adopt this ordinance pursuant to its home rule authority.

**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 1:** The above recitals are incorporated herein and made a part of this Ordinance.

**Section 2:** That Chapter 150 Section 150.03 of the Code of the Village of East Dundee is hereby amended by deleting Subsections (A)(1), (J), and (K) and replacing said Subsections with the following in their stead:

(A) (1) To prepare and recommend to the Village Board a comprehensive plan of public improvements looking to the present and future development of the village. After its adoption by the Village board, this plan shall be known as the Official Plan of the Village of East Dundee. Thereafter, from time to time, the Commission may recommend changes in the Official Plan. This plan may include reasonable requirements with reference to the streets, alleys, and public grounds in unsubdivided land situated within the corporate limits or in contiguous territory not more than 1 ½ miles beyond the corporate limits and not included in any municipality. These requirements shall be effective whenever this unsubdivided land is subdivided after the adoption of the Official Plan.

(J) To make recommendations to the Village Board, after holding a public hearing, on petitions for amendments to the provisions of the East Dundee Zoning Chapter and petitions for the re-zoning of property.

(K) To transmit to the Village Board, with every recommendation, findings of fact, when required, and to refer to any exhibits containing plans and specifications relating to its recommendation, which plans and specifications shall remain a part of the permanent records of the Commission. The findings of fact shall specify the reason or reasons for its recommendation. The terms of the relief recommended shall be specifically set forth in a conclusion or statement separate from the findings of fact of the Commission.

**Section 3:** That Chapter 157 Section 157.223 of the East Dundee Zoning Chapter of the Code of the Village of East Dundee is hereby amended by deleting Subsection (D) and replacing said Subsection with the following in its stead:

(D) Within 45 days after the close of the hearings on a proposed text or zoning amendment, the Planning and Zoning Commission shall make written findings of fact, when required, and shall submit same, together with its recommendations to the President and Board of Trustees. When the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Planning and Zoning Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

- (1) Existing uses of property within the general area of the property in question;
- (2) The zoning classification of property within the general area of the property in question;
- (3) The suitability of the property in question to the uses permitted under the existing zoning classification; and
- (4) The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

**Section 4:** That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

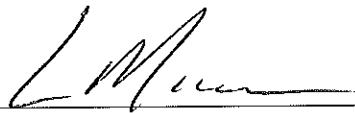
*Passed* by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 15<sup>th</sup> day of September, A.D. 2014, pursuant to a roll call vote, as follows:

AYES: Trustees Gorman, Lynam, Skillicorn, Selep + Wood

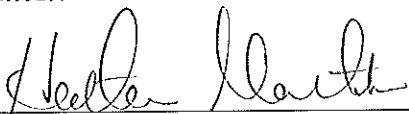
NAYS: Ø

ABSENT: Trustee Ruffalo

APPROVED by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 15<sup>th</sup> day of September, A.D. 2014.

  
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Village President

Attest:

  
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Village Clerk