

Ordinance No. 15-36

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, WAVING DEVELOPMENT REGULATIONS FOR A PORTION OF THE ROCK ROAD INDUSTRIAL PARK**

**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**, Plote Property Management, LLC (“*Plote*”) owns certain property in the Village located along Commonwealth Drive in the Rock Road Industrial Park, which property is depicted on Exhibit A attached hereto and made a part hereof (the “*Subject Property*”), and intends to develop and use the Subject Property as a temporary parking area for trucks in order to support the I-90 road construction efforts; and,

**WHEREAS**, in order to develop the Subject Property for the foregoing use, Plote desires that the Village grant certain waivers in connection with the temporary truck parking areas that may hereafter be established on the Subject Property for a period of three years; and,

**WHEREAS**, pursuant to Section 157.193(A) of the East Dundee Zoning Chapter as identified in Chapter 157 of the Code of the Village of East Dundee, the Village Board is empowered to waive certain development regulations provided that it determines that the particular development and/or use would not endanger the health, safety and welfare of area residents; and,

**WHEREAS**, having determined that the abovementioned development and use and the waivers of these development regulations will not endanger the health, safety and welfare of area residents, the Village is prepared to waive said development regulations as hereinafter set forth

for a period not to exceed three (3) years, provided that Plote continues to own the Subject Property and use it for truck parking.

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

*Section 1.* That the above recitals are incorporated herein and made a part of this Ordinance.

*Section 2.* That pursuant to Section 157.193(A) of Chapter 157 of the Code of the Village of East Dundee the following development regulations are hereby waived for the development and use of the Subject Property by Plote for a period not to exceed three (3) years, provided, however, that said waivers shall be null and void in the event that the Subject Property is no longer owned by Plote or used by it as a truck parking area:

- a) The requirement for paving of a permanent roadway or parking lot, provided that all required off-street parking and driveway access to the site shall have asphalt shavings; that all required off-street parking is provided for, including handicapped parking; and that steps are taken to control dust and other particulates from the parking surface area;
- b) The requirement for installation of curbs and gutters pursuant to Section 57.101(F) of Chapter 57 of the Code of the Village of East Dundee, provided that Plote takes all steps necessary to comply with all applicable storm water drainage requirements;
- c) The requirement for parking lot lighting pursuant to Section 157.149 of Chapter 157 of the Code of the Village of East Dundee, provided that no activity is scheduled or planned to take place after dusk and the proposed use remains a temporary use as allowed by the Village Board; and,

d) The requirement of parking lot landscaping, including placement of tree and shrubbery, pursuant to Section 157.149 of Chapter 157 of the Code of the Village of East Dundee.

(e) A four foot berm shall be placed along the frontage of the property and the property shall be restored to its previous condition within three years from the date hereof unless otherwise extended by the Village.

*Section 3.* That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

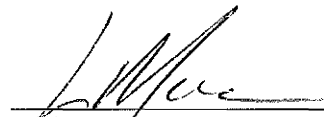
*Passed* by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 20<sup>th</sup> day of July, A.D. 2015, pursuant to a roll call vote, as follows:

**AYES:** Trustees Skillicorn, Lynam, Selep, Wood and Hall

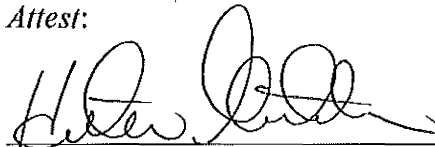
**NAYS:**  $\emptyset$

**ABSENT:** Trustee Gorman

**APPROVED** by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 20<sup>th</sup> day of July, A.D. 2015.

  
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Village President

*Attest:*

  
\_\_\_\_\_  
Village Clerk

Published in pamphlet form:

July 21, 2015

# EXHIBIT A



Google earth

